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FURLING THE SOUTH CAROLINA CONFEDERATE FLAG: POLITICAL EXPEDIENCY OR
CULTURAL CHANGE?

A Thesis
presented in partial fulfillment of requirements
for the degree of Master of Arts
in the Department of Southern Studies
The University of Mississippi

by

GRANT BURNETTE LEFEVER

August 2016

ABSTRACT

Until July 2000, three Confederate battle flags flew at the South Carolina State House—one in each Legislative chamber and a third on top of the State House dome, on the same pole and just below the U.S. flag and the state's Palmetto flag. A legislative compromise that year removed the flags from the State House to a prominent site 100 yards away in front of the building, next to a memorial to South Carolina's Confederate dead. Though it only moved the flag a short distance and to an arguably more visible location, the 2000 compromise was the culmination of over a decade of intense debate that convulsed the state's political culture and deeply divided South Carolinians. In June 2015, a young white man named Dylann Roof entered a historic black church in Charleston, South Carolina and gunned down nine African Americans, purely because of their race. The murders sparked national outrage and reignited intense debate over the Confederate flag's continued presence at the South Carolina State House. Unlike fifteen years earlier and other failed efforts, this time legislation to remove the Confederate battle flag passed both houses of the General Assembly within two weeks of introduction. Less than a month after the horrific massacre, the last Confederate battle flag on South Carolina State House grounds was furled.

This thesis examines the lengthy debate over the Confederate battle flag in South Carolina within the context of the larger culture war taking place in the South over the region's public symbols. The flag debate in South Carolina endures as the longest and most

divisive battle of this culture war. This thesis investigates the particular social, historical, and political influences that caused the debate to unfold as it did in the state. It also evaluates the specific factors, or pressures, that generated the momentum necessary to move the Confederate flag on State House grounds in 2000 and to finally oust it in 2015. The analysis concludes that South Carolina lawmakers were motivated more by political expediency than by a commitment to racial equality and social change.

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Above all, I owe everything to my parents.

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CHAPTER ONE

INTRODUCTION

On Wednesday, June 17, 2015, congregants of Emanuel African Methodist Episcopal Church, a historic black church in downtown Charleston, South Carolina, gathered for their weekly Bible study. That night they accepted a visitor, Dylann Storm Roof, a young white man from Columbia, the state's capital two hours away. Roof asked for the seat beside the church's pastor, Reverend Clementa Pinckney, and sat with the worshippers for over an hour. Then, just after 9 p.m., the twenty-one year old opened fire on the twelve kind people who welcomed him into their circle that night.¹

His plan was nearly derailed, Roof said later, because "everyone was so nice to me"; but in the end, he decided he must go through with his "mission."² Roof told investigators he intended "to start a race war."³ One of only three survivors recalls Roof shouting, "I have to do it. You rape our women and you're taking over our country. And you have to go," as he gunned down nine African Americans in the South's oldest AME church.⁴ The victims, six women and three men, ranging in age from 26 to 87, are now remembered as the "Emanuel

¹ Nick Corasaniti, Richard Perez-Pena, and Lizette Alvarez, "Church massacre suspect held as Charleston grieves," *The New York Times*, June 18, 2015.

² Daniel Arkin and Erik Ortiz, "Dylann Roof 'Almost Didn't Go Through' with Charleston Church Shooting," *NBC News*, June 19, 2015.

³ Ibid.

⁴ Sarah Ellis, "'I have to do it,' gunman told victims before opening fire," *The State*, June 18, 2015.

Nine.” The victims were Cynthia Hurd, Susie Jackson, Ethel Lance, DePayne Middleton-Doctor, Clementa Pinckney, Tywanza Sanders, Daniel L. Simmons, Sharonda Coleman-Singleton, and Myra Thompson.⁵ Reverend Pinckney, the church’s pastor and a forty-one year old father of two, also served in the South Carolina Senate, representing six impoverished counties just south of Charleston.⁶ All nine victims served their communities in multiple capacities: librarian, track coach, artist, counselor, choir member, grandmother, teacher.⁷

In the immediate wake of the massacre, many feared division, hatred and anger, calls for vengeance, perhaps rioting or other reactionary violence that would give Dylann Roof the race war he wanted. Instead, the families and state set an example for the nation in responding with the opposite.

At Roof’s bond hearing the day after his capture, the families of the Emanuel Nine spoke messages of love and forgiveness to the coldblooded killer, even as he remained expressionless on the video screen before them.⁸ “We are the family that love built. We have no room for hating, so we have to forgive,” the sister of one of the victims told Roof.⁹ The people of Charleston and surrounding communities exhibited similar resolve and grace as they came together in a diverse and poignant demonstration of unity and empathy, collective grief and uplifting support, and civility and strength. From the flowers, candles, and cards placed outside Mother Emanuel, to the upwards of ten thousand people who

⁵ Don Melvin, Steve Almasy, and Greg Botelho, “Charleston victims: 9 lives lost to family and community,” *CNN*, June 20, 2015.

⁶ Schuyler Kropf, “Clementa Pinckney, state senator, pastor, dead in shooting,” *The Post and Courier*, June 18, 2015.

⁷ Melvin, Almasy, Botelho, “Charleston Victims.”

⁸ Mark Berman, “‘I forgive you.’ Relatives of Charleston shooting victims address Dylann Roof,” *The Washington Post*, June 19, 2015.

⁹ *Ibid.*

locked arms in a “Unity Chain” that stretched the expanse of Charleston’s landmark bridge, to the outpouring of donations and other contributions to cover funeral expenses and establish scholarship funds, people around the world learned what it meant to be “Charleston Strong”—the ideal of American citizenship, at least for a short while.¹⁰

Dylann Roof’s motive was undeniable—pure, unbridled racism and hate. The details that emerged in the days after the horrific killing painted a picture of a young murderer whose actions were at once shockingly unthinkable, yet painfully familiar, dripping of the South’s darkest history.¹¹ Dylann Roof’s act of terror traces a long history of violence against black bodies, in the South and in America. His target, a black church—the heart and soul of the black community and a center for activism—has long been a target for white oppressors. Roof’s rhetoric, “you rape our women,” draws on the centuries-old image of the Black Brute used to incite white fear of black masculinity as well as justify hundreds of lynchings across the South. “You’re taking over our country,” fits perfectly within the exclusionary framework of white supremacist hate groups of the past and the present.¹²

The most revealing glimpse into Dylann Roof’s twisted psyche, however, came in the form of a website called “The Last Rhodesian.” Discovered three days after Roof’s arrest, it was registered to Roof and lists him as the administrator.¹³ The website included a nearly 2,500-word hate-filled manifesto in which Roof justified his theories for racial violence,

¹⁰ David Dent, “Processing Charleston’s Week of Grace,” *The Huffington Post*, June 30, 2015.

¹¹ Michael A. Fletcher and Janell Ross, “Attack evokes dark days from the nation’s past,” *The Washington Post*, June 18, 2015; Jonathan Drew and Bruce Smith, “Shootings highlight dark past for Charleston race relations,” *The Associated Press*, June 19, 2015.

¹² Barbara Combs, “The Confederate Battle Flag Is a Symbol of Intimidation,” *The New York Times*, June 19, 2015.

¹³ Ray Sanchez and Ed Payne, “Charleston church shooting: Who is Dylann Roof?,” *CNN*, June 23, 2015, <http://www.cnn.com/2015/06/19/us/charleston-church-shooting-suspect/index.html>.

apologizing for making grammatical errors due to haste.¹⁴ In his manifesto, Roof identifies the Trayvon Martin case as the turning point for his racial “awakening.” He goes on to castigate all non-whites, specifically Jews, Hispanics, and Asians, but by far reserves his most virulent hatred for “Blacks,” “the group that is the biggest problem for Americans.”¹⁵ Last modified at 4:44 PM the day of the shooting, Roof concluded his writings with “An Explanation.” “I have no choice,” Roof wrote. “I am not in the position to, alone, go into the ghetto and fight. I chose Charleston because it is [sic] most historic city in my state, and at one time had the highest ratio of blacks to Whites in the country.”¹⁶ Roof also uploaded a cache of sixty photographs of himself to his website. This included photos of him burning the American flag, venerating the Confederate flag, displaying common white supremacist code numbers, brandishing a new handgun, and posing in front of racially resonate historical sites in South Carolina, such as an old plantation, Confederate history museum, and African burial ground.¹⁷

Some found comfort in the days that followed in believing that the actions and website of Dylann Roof are products of an extremism that exists only on the very fringes of society.¹⁸ Sadly, as others pointed out, this was not just the act of an isolated gunman.¹⁹

¹⁴ Francis Robles, “Dylann Roof Photos and a Manifesto Are Posted on Website,” *The New York Times*, June 20, 2015.

¹⁵ Michael McLaughlin, “Racist Manifesto Purportedly Written by Dylann Roof Surfaces Online,” *The Huffington Post*, June 20, 2015.

¹⁶ Ibid.

¹⁷ Justin Miller, “Dylann Roof Visited Slave Plantations, Confederate Landmarks,” *The Daily Beast*, June 20, 2015, <http://www.thedailybeast.com/articles/2015/06/20/dylann-roof-visited-slave-plantations-confederate-landmarks-before-massacre.html>.

¹⁸ Adam Parker, “Differing views on Charleston’s race relations reveals chasm,” *The Post and Courier*, June 21, 2015.

¹⁹ Ibid.; Amanda Mushal and Kerry Taylor, “Build on unity against racism,” *The Post and Courier*, June 29, 2015.

Rather, Dylann Roof was motivated by attitudes and ideas consistent with the private beliefs held by many, though they may not often be violently acted upon.

Nowhere was this more apparent than in the photographs Roof uploaded to his website. While some of Roof's photos may be easy to dismiss as "extreme," others, if divorced from Roof's actions, easily depict a young man who subscribes to the same brand of "Southern culture" that many in the South and elsewhere embrace and consume. This is especially true of the numerous photographs of Roof with the Confederate battle flag, such as one in which Roof proudly poses on the hood of his car—later his escape vehicle—to show off a custom "Confederate States of America" front license plate, or the multiple photos in which Roof holds a Confederate battle flag with an enormous look of self-regard, a rare break from his typical deadpan stare.²⁰

The Confederate battle, or "Rebel," flag is the familiar red banner with a blue, star-studded diagonal cross, a potent and prolific symbol that has become exceedingly controversial in recent decades. This flag that originated in the Civil War reached national popular culture icon status twice in the twentieth century through a clothing fad, television shows, and the Southern rock movement. Southern segregationists also resurrected the old symbol as part of a massive resistance campaign against the civil rights movement, and the Ku Klux Klan adopted it as their second most important symbol behind the burning cross.²¹ Today a large number of Southerners exalt and defend the Confederate battle flag as a symbol of a noble Southern heritage, honor, sacrifice, and cultural pride. Many of these

²⁰ Dana Ford, "What we know about Dylann Roof as told in photographs," *CNN*, June 24, 2015, <http://www.cnn.com/2015/06/23/us/dylann-roof-photographs/>.

²¹ Roberto A. Ferdman, "What the Confederate flag really means to America today, according to a race historian," *The Washington Post*, June 19, 2015.

same Southerners denounce the flag's "misappropriation" by hate groups; however, Dylann Roof's veneration of the Confederate battle flag and the heinous nature of his crime excruciatingly demonstrated that this Southern icon cannot be divorced from any part of its painful past or present and in fact endorses the very violence Roof committed.²²

At the time of the Charleston church massacre, a square version of the Confederate battle flag flew from a thirty-foot illuminated pole at the base of a Confederate soldiers' monument located directly in front of the South Carolina State House, arguably the most prominent intersection in the state.²³ While U.S. and Palmetto flags across South Carolina, including those on the Capitol dome, were lowered to half-staff in the wake of the massacre, the Confederate flag in front of the State House remained conspicuously flying at full height. Under a 2000 state law, the Confederate battle flag on State House grounds was classified as a monument and under protected purview of the South Carolina General Assembly, meaning that no other public body or official could alter how it was treated and displayed.²⁴ Therefore, the Confederate flag could not be removed, even for the brief four hours that Senator Clementa Pinckney's body lay in state inside the State House rotunda the week after the shooting.²⁵ Instead, the horse-drawn caisson bearing Pinckney's casket altered its route to prevent the late senator's body from passing directly under the symbol embraced by his killer.

Even before the damning photographs of Dylann Roof with the Confederate flag surfaced, the legislative sanction and prominent display of the Confederate flag on State

²² Ta-nehisi Coates, "Take Down the Confederate Flag," *The Atlantic*, June 18, 2015.

²³ Jeff Wilkinson, "Killings reignite debate on flag," *The State*, June 21, 2015.

²⁴ Ibid.; Schulyer Kropf, "Despite Mourning, statehouse Confederate battle flag remains full staff," *The Post and Courier*, June 18, 2015.

²⁵ Doug Stanglin, "Pinckney's body to lie in state near site of controversial Dixie flag," *USA Today*, June 24, 2015.

House grounds in the hours and days after the heinous murder of nine African Americans sparked public outrage. Calls for removal reverberated from both within and outside South Carolina, as many people pointed to the great irony that the same state that transformed into a national vision of compassion, grace, and racial reconciliation prominently flew the Confederate battle flag—the flag of Dylann Roof—in front of her State House, for all to see. These calls for removal were met swiftly with a strong response from flag supporters, which included some of South Carolina’s leadership. As the slaying of the Emanuel Nine reignited national debates over gun control and race relations in America, a debate over the fate of the South Carolina Confederate battle flag also claimed a place at the center of the national stage, elevating the social magnitude of the issue beyond mere symbolism. Nowhere was this more evident than in President Barrack Obama’s impassioned eulogy delivered for Senator Pinckney, whom he knew personally.

In what is considered a breakout moment of his presidency, President Obama tackled race in America boldly and directly for one of the first times since taking office in 2009, calling for a national reckoning on systemic racism and gun violence in front of more than 5,000 congregants at Senator Pinckney’s funeral and a national television audience.²⁶ Addressing the nation, President Obama challenged lawmakers to political action for gun safety measures, demanded an accounting for the deep racial disparities in poverty, education, employment, and criminal justice, and implored the people of America to “realize the way racial bias can infect us even when we don’t realize it.”²⁷

²⁶ Allyson Hobbs, “Barack Obama’s Second Inaugural in Charleston,” *The New Yorker*, June 29, 2015.

²⁷ “Remarks by the President in the Eulogy for the Honorable Reverend Clementa Pinckney,” *The White House*, June 26, 2015, <https://www.whitehouse.gov/the-press-office/2015/06/26/remarks-president-eulogy-honorable-reverend-clementa-pinckney>.

The President also addressed the people of South Carolina directly. He began by commending the citizens and leadership of Charleston and South Carolina, who he said responded not only “with big-hearted generosity [but], more importantly, with a thoughtful introspection and self-examination we so rarely see in public life.”²⁸ However, he quickly countered this praise in voicing his indignation that the continued presence of a Confederate battle flag at the South Carolina State House was still a topic for debate in 2015, especially in light of the latest racial violence in a state with a long history of violence and racial disparities. “For too long, we were blind to the pain that the Confederate flag stirred in too many of our citizens,” President Obama began. The President then prefaced a resounding call for the flag’s removal with a history lesson one hundred-fifty years in the making: “It’s true, a flag did not cause these murders. But as people from all walks of life, Republicans and Democrats, now acknowledge ... as we all have to acknowledge, the flag has always represented more than just ancestral pride. For many, black and white, that flag was a reminder of systemic oppression and racial subjugation. *We see that now.*”²⁹

Do We Really?

When President Obama declared, “We see that now,” what he meant is that we should see and we must see the painful history and meanings many Americans associate with the Confederate battle flag. Yet, for South Carolina, the Confederate battle flag’s

²⁸ Ibid.

²⁹ Ibid. (Emphasis added)

presence at the State House represents one of the most divisive and volatile issues in the state's history.

Until July 2000, three Confederate battle flags flew at the South Carolina State House—one in each Legislative chamber and a third at the top of the State House dome, on the same pole and just below the U.S. flag and the state's Palmetto flag. A legislative compromise that year removed the flags from the State House to a prominent site 100 yards away in front of the building, next to a memorial to South Carolina's Confederate dead. Though it only moved the flag a short distance and to an arguably more visible location, the 2000 compromise was the culmination of over a decade of intense debate in South Carolina that convulsed the state's political culture, deeply divided South Carolinians, and ultimately reflected months of pressure from a national economic boycott and negative exposure in the national media. Speaking to the enormity of the historic compromise, former Governor Jim Hodges, who was instrumental in pressuring for the flag's removal from the dome, recalls, "I thought it was a hell of an accomplishment.... That 100 yards is a long 100 yards, and there are a lot of battle scars that got it to that point."³⁰

A majority of South Carolina lawmakers shared Governor Hodges' sentiments. The many years of battle leading up to the 2000 compromise proved that addressing the flag in any form carried with it great political risk. Governor Hodges' predecessor, Republican David Beasley, for instance, essentially destroyed his political career and caused deep fissures within his party when he called for the Confederate flag's removal from the dome in 1996.

³⁰ Jim Hodges, interview by author, Columbia, SC, February 11, 2015.

In general, South Carolinians supported the Confederate flag. A November 2014 Winthrop University poll found that more than sixty percent of South Carolinians believed that the flag should remain at its current location on State House grounds.³¹ These findings also broke sharply along racial lines, a rift South Carolina politicians historically try to avoid.³² Consequently, the Confederate battle flag on State House grounds was effectively regarded as a settled issue, at least within the State House, after July 2000.

State lawmakers' reluctance to debate the Confederate battle flag was apparent even after the June 2015 massacre in Charleston sparked public outrage against the Confederate flag's continued presence at the State House. Some of the state's more tactful politicians, such as South Carolina's governor Nikki Haley, sidestepped the issue in the immediate days after by deferring to a focus on the victims and healing the state rather than "policy conversations."³³ Others expressed strong opposition to readdressing the flag and played to the pro-flag resistance that formed in response to the renewed movement against the Confederate flag.³⁴ All early indications foreshadowed a repeat of the massive showdown fifteen years earlier.

Surprisingly, this was not the case. In a dramatic turn, Governor Haley and a significant number of other lawmakers who previously stood firm in their resolution not to touch the state's Confederate battle flag, even after the massacre, came out in full support of legislation to remove the Confederate flag from State House grounds once and for all. Unlike fifteen years earlier and other failed efforts, this time legislation to remove the

³¹ Jamie Self, "Confederate flag still divides whites, blacks in SC," *The State*, November 23, 2014.

³² *Ibid.*

³³ "SC governor reflects on church shooting massacre," *CBS News*, June 19, 2015, <http://www.cbsnews.com/news/charleston-shooting-south-carolina-governor-nikki-haley-reflects/>.

³⁴ Janell Ross, "Here's who is still defending the Confederate flag (and the many reasons they give)," *The Washington Post*, June 25, 2015.

Confederate battle flag passed both houses of the General Assembly within two weeks of introduction. Less than a month after the horrific massacre, not only was the last Confederate battle flag on South Carolina State House grounds furled but every trace of it was completely erased, all the way down to new sodding over the spot where its pole once stood.

Though protests to the Confederate battle flag's removal inevitably continue, overall it prevails as a historic victory for South Carolina. South Carolina Governor Nikki Haley, in particular, has been hailed a hero for her role in bringing down the flag, an effort that has injected her into the national political arena.³⁵ While removing the Confederate battle flag is certainly a significant symbolic step for South Carolina, the state's history of racial tension and violence extends much deeper than the symbols erected at her State House. For all the inspirational talk of unity and racial reconciliation in South Carolina that has grown out of this great tragedy, salutary progress and change in the state ultimately hinges on the question, do we really see?

Framework and Objectives

This thesis examines the long debate over the Confederate battle flag in South Carolina. The especially contentious conflict surrounding the South Carolina Confederate battle flag is ultimately part of a larger "culture war" taking place in the South over the region's public symbols. Over the past three decades, fundamental disagreements over the

³⁵ Nia-Malika Henderson, "Nikki Haley seizes the political moment amidst Confederate flag debate," *CNN*, July 11, 2015, <http://www.cnn.com/2015/07/10/politics/nikki-haley-confederate-flag-south-carolina/>.

meaning and public display of certain symbols have precipitated hundreds, if not thousands, of incidents and debates in cities and towns across the South.³⁶ And while these disputes over Southern symbols have taken many different forms, by far the most widespread and vitriolic battles pertain to the continued use and display of Confederate symbols, especially the Confederate battle flag.³⁷

Since the war over Southern symbols came to a head in the early 1990s, critics have repeatedly ridiculed and dismissed challenges to the region's traditional or existing symbolism as "meaningless grandstanding and 'political correctness' run amok."³⁸ Similarly, symbolic disputes have largely failed to gain popular recognition as raising salient social and political questions, despite receiving significant media coverage. John Coski noted in 2005, for example, "Debates over the Confederate flag have inflamed passions and garnered headlines but are still portrayed as sideshows, distractions from truly important public policy issues."³⁹

While it appears that current issues surrounding the Confederate battle flag and other racially connotative Southern symbols are finally commanding the serious attention they so urgently deserve, scholars have been warning of the impending cultural crisis for more than twenty years. Historian James Cobb, for one, cautioned over a decade ago, "Skirmishes over the Confederate flag and the playing of 'Dixie' seem like pretty tame stuff compared to the tanks and mortars being used to settle questions of cultural identity

³⁶ John Coski, *The Confederate Battle Flag: America's Most Embattled Emblem* (Cambridge: The Belknap Press of Harvard University, 2005), 183; Gerald R. Webster and Jonathan I. Leib, "Whose South is it anyway? Race and the Confederate battle flag in South Carolina," *Political Geography* 20 (2001): 272.

³⁷ Ibid; *Confederate Symbols in the Contemporary South*, ed. by J. Michael Martinez, William D. Richardson, and Ron McNinch-Su (Gainesville: University Press of Florida, 2000).

³⁸ W. Fitzhugh Brundage, *The Southern Past: A Clash of Race and Memory* (Cambridge: The Belknap Press of Harvard University, 2005), 320.

³⁹ Coski, *The Confederate Battle Flag*, x.

elsewhere in the world. Still, the parallels are instructive and sobering.”⁴⁰ Cobb is joined by a growing list of contemporary Southern scholars, including W. Fitzhugh Brundage, Charles Reagan Wilson, David Goldfield, Rebecca Bridges Watts, Jonathan I. Leib, and Gerald R. Webster, who understand these debates as having high stakes, meaningful, and enduring consequences for the present and future of the region’s social, political, and economic climate.⁴¹

For these scholars, the South’s war over symbols represents yet another iteration of a population’s ceaseless struggle to come to terms with the past in the region where William Faulkner famously pronounced, “The past is never dead. It’s not even past.”⁴² This is true not only of the historical legacies of the Southern past still present in the region’s social and political structures but also as a defining feature of the South’s public culture and civic life. W. Fitzhugh Brundage asserts, “the apparently tangible presence of the southern past is not happenstance; it is the consequence of more than a century of labor, investment, and design by individuals and groups who have imagined themselves as ‘southerners.’”⁴³

One common way in which Southerners have historically sought to publicly protect, preserve, and present their past is through the proliferation of commemorative symbols on

⁴⁰ James C. Cobb, *Redefining Southern Culture: Mind and Identity in the Modern South* (Athens: The University of Georgia Press, 1999), 148.

⁴¹ Peter Applebome, *Dixie Rising: How the South is Shaping American Values, Politics, and Culture* (San Diego: Harcourt Brace & Company, 1997); W. Fitzhugh Brundage, *The Southern Past: A Clash of Race and Memory* (Cambridge: The Belknap Press of Harvard University, 2005); James C. Cobb, *Away Down South: A History of Southern Identity* (New York: Oxford University Press, 2005); David Goldfield, *Still Fighting the Civil War: The American South and Southern History* (Baton Rouge: Louisiana State University Press, 2002); Jonathan I. Leib, Gerald R. Webster, and Roberta H. Webster, “Rebel with a cause? Iconography and public memory in the Southern United States,” *GeoJournal* 52 (2001): 303-310; Rebecca Bridges Watts, *Contemporary Southern Identity: Community Through Controversy* (Jackson: The University of Mississippi Press, 2008); Charles Reagan Wilson, *Judgment and Grace in Dixie: Southern Faiths from Faulkner to Elvis* (Athens: The University of Georgia Press, 1995).

⁴² William Faulkner, *Requiem for a Nun* (New York: Vintage Books (reprint), 1975), 80.

⁴³ Brundage, *The Southern Past*, 3-4.

the Southern landscape. French historian Pierre Nora classifies such symbols as *lieux de mémoire*, sites (or realms) of memory. Nora defines *lieu de mémoire* as “any significant entity ... which by dint of human will or the work of time has become a symbolic element of the memorial heritage of any community.”⁴⁴ Nora further explains that every *lieu de mémoire* is at once material, symbolic, and functional, meaning that the memory, or “history,” deposited in a site is neither objective nor passive.⁴⁵ Rather, *lieux de mémoire* are intentional creations that ultimately serve to “anchor, condense, and express the exhausted capital of our collective memory” upon a landscape and within a culture.⁴⁶ Necessarily then, *lieux de mémoire* also serve to determine control of—define—a particular people’s collective identity because memory and identity are so inherently intertwined. As John R. Gillis explains in his foundational examination of memory and identity, *Commemorations: The Politics of National Identity*, “The core meaning of any individual or group identity, namely, a sense of sameness over time and space, is sustained by remembering; and what is remembered is defined by the assumed identity.”⁴⁷ In other words, commemorative sites are in no way objective markers of a static past; they are powerful, purposeful tools aiding in the continuous creation and re-creation of a group’s historical memory, which, in turn, goes hand-in-hand with the fluid fashioning of the group’s collective identity.

What must not be overlooked here is the role power plays not only in the creation of historical memory but also in propelling the evolution of the recalled past through changes

⁴⁴ Pierre Nora, “From Lieux de memoire to Realms of Memory,” in *Realms of Memory: Rethinking the French Past, Volume 1: Conflicts and Divisions*, ed. Pierre Nora, trans. Arthur Goldhammer (New York: Columbia University Press, 1996), xvii.

⁴⁵ Pierre Nora, “Between History and Memory: Les Lieux de Memoire,” *Representations* 26 (Spring 1989): 19.

⁴⁶ *Ibid.*, 19, 24.

⁴⁷ John R. Gillis, “Memory and Identity: The History of a Relationship,” in *Commemorations: The Politics of National Identity*, ed. John R. Gillis (Princeton: Princeton University Press, 1994), 1.

in the relative power groups enjoy.⁴⁸ Gregory Streich reminds us that memory is selective, partial, and contested; how we remember the past “differ[s] depending on whether our social group was/is a beneficiary or recipient of historical injustice, discrimination, and oppression.”⁴⁹ There are then what Nora calls the “dominant” and “dominated” *lieux de mémoire*. The dominant *lieux de mémoire*, Nora writes, are “spectacular and triumphant, imposing and, generally, imposed—either by a national authority or by an established interest, but always from above.”⁵⁰ By imposing its memory into public space, the dominant group manages to exert cultural authority, express collective solidarity, and, in effect, achieve a measure of permanence by suppressing and relegating to the fringes any alternative, or “dominated,” *lieux de mémoire*.⁵¹ Often, over time, objects, symbols, and “histories” that were in fact products of intense contestation, manipulation, and struggle come to appear as natural, consensual elements of a cultural landscape. Unfortunately, it is not until the subordinated or marginalized social groups gain enough respective power in a society to challenge the “master” commemorative narratives, the dominant *lieux de mémoire*, that the dominant group’s monopoly on the past begins to falter, and the community’s “established” symbolic elements are exposed for the particular ideological positions they serve and social interests they protect.⁵²

⁴⁸ Brundage, *The Southern Past*, 8.

⁴⁹ Gregory W. Streich, “Is There a Right to Forget? Historical Injustices, Race, Memory, and Identity,” *New Political Science* 24.4 (December 2002): 526-527.

⁵⁰ Nora, “Between History and Memory,” 23.

⁵¹ Ibid.; Brundage, *The Southern Past*, 6.

⁵² Gillis, “Memory and Identity,” 4; Bruce E. Baker, *What Reconstruction Meant: Historical Memory in the American South* (Charlottesville: University of Virginia Press, 2007), 9.

This is essentially what is happening in the South. When understood within a framework of memory and identity, the ongoing symbolic conflict in the South is ultimately a power struggle over how the past is represented and remembered in the present.

The region's Confederate symbols are a prime example of how dominant groups wield representations of history as instruments of power. As sites of memory, Confederate symbols are by very definition social and political. Established by former Confederates after the Civil War, Confederate symbols have always served a dual purpose. On the one hand, Confederate symbols served to help white southerners cope with their crushing defeat in the Civil War by providing a means to memorialize and honor the memory of the many men and women who sacrificed their lives to the "Southern cause." On the other hand, Confederate symbols, by offering a tangible site for white southerners to condense and remold Confederate memory, emerged as the perfect tool for southern whites to build Jim Crow and restore their position atop the South's hierarchical social order, despite the eradication of its very foundation—slavery—as a result of the Civil War.⁵³

Through Confederate symbols, southern whites, as the historically dominant social group, effectively established and maintained control over the South's historical memory and regional identity—at least as it existed in the region's public culture. Imbued with social meaning and power relations fundamentally rooted in the South's antebellum culture and social system, for over a century, Confederate symbols have served to silently advance white elite claims to status and power while simultaneously undercutting blacks' and other minorities' social, political, and economic gains.

⁵³ Baker, *What Reconstruction Meant*, 10-11.

Certainly, removing Confederate symbols, one-hundred fifty years after Confederate defeat in the Civil War and fifty years since southern segregationists' defeat in the civil rights movement, is a significant symbolic step toward understanding and unity. However, to remove such symbols without also fostering and maintaining a constructive, ongoing dialogue about the very real attitudes and power dynamics Confederate and other racially connotative symbols represent and reinforce, in effect, buries one of the most visible reminders of the racial disparities and inequities that still exist in the South and across the United States. Brundage explains, "In the absence of healthy exchange, privileged groups will perpetuate exclusionary pasts, thereby privatizing the past, reinforcing inequalities, and impeding salutary change."⁵⁴ Therefore, to achieve true progress and lasting change from this great tragedy, we must talk about, acknowledge, and "see," the relationships and ideologies symbols like the Confederate battle flag sustain, the histories they promote, and the ultimately fundamental role they play in preserving the legacies of slavery and segregation in the South.

As South Carolina moves forward, now a year since the horrific massacre in Charleston and the dramatic furling of the state's Confederate flag, this thesis looks back on the historical significance and legacy of the Confederate battle flag and its complex, intimate relationship with South Carolina that kept it flying for so long. More specifically, the following research seeks to answer such pivotal questions as: what factors, or pressures, generated the necessary momentum to move the flag(s) on State House grounds at two specific moments in time; is the flag's eventual removal an indication of meaningful, lasting cultural change in South Carolina, or was it mere political expediency; and what

⁵⁴ Brundage, *The Southern Past*, 342.

implications, if any, does the Confederate flag's removal from the South Carolina State House have for the future of race relations in the state and in the South.

Ultimately, this thesis argues that political expediency—far more than cultural change—in the wake of the Charleston massacre governed the effort to remove the Confederate battle flag from South Carolina State House grounds. In both 2000 and again in 2015, a series of intense moral shocks, economic pressures, and a negative national spotlight mobilized power to move the state's Confederate battle flags, first from the State House dome and, later, from the State House grounds altogether. Until tragedy in Charleston sparked public outrage and condemnation, the unwillingness of South Carolina's leadership to remove—or even acknowledge—a clearly volatile and divisive symbol flying in a position of sovereignty at the State House is not only telling of the state's deeply engrained political culture, still reluctant to address persisting legacies of racism and violence, but also sends an implicit message that such policies and attitudes consistent with these legacies will be tolerated. While removing the Confederate battle flag from the South Carolina State House in 2015 was unquestionably a momentous occasion in the history of the state, the sad reality is that—had Dylann Roof not entered that church on the fateful night of June 17, 2015—and had the nation not expressed moral shock and outrage, not only at the crime itself, but at the fact that the very symbol Roof most endorsed flew prominently in front of South Carolina's capitol—the Confederate battle flag would still be flying there today.

Review of Relevant Literature

Because the latest debate over the Confederate battle flag in South Carolina is so recent, taking place between late June and early July 2015, no popular or scholarly work yet exists beyond extensive media coverage of the events. There is, however, a respectable body of literature concerning the 1990s-2000 South Carolina Confederate flag debate.

To date, K. Michael Prince's *Rally 'Round the Flag, Boys! South Carolina and the Confederate Battle Flag* is the most comprehensive work that focuses exclusively on the Confederate flag debate in South Carolina.⁵⁵ Published in 2004, Prince's work chronicles the course of the first major Confederate flag debate in South Carolina, ending with the flag's removal from the State House dome in July 2000. Similar to the approach of this thesis, Prince prefaces his account of the debate by placing both the Confederate flag and South Carolina politics in historical perspective to help dissect the cultural origins and leading arguments of both pro-flag and anti-flag forces in South Carolina. Prince is particularly effective in introducing the key players in the debate, using first-hand interviews to supplement newspaper accounts and present multiple voices. Throughout his work, Prince frames the first flag debate as an inevitable decade-long showdown in the state's quest to reconcile its divisive past heading into a new millennium. For Prince, then, the Confederate flag's removal from the State House dome in July 2000 marked an uneasy, yet emphatic, end to the debate over the Confederate flag in South Carolina—"perhaps ...

⁵⁵ K. Michael Prince, *Rally 'Round the Flag, Boys! South Carolina and the Confederate Flag* (Columbia: University of South Carolina Press, 2004).

the best we can do”—and a sort of symbolic reconciliation in the state—a conclusion that both history and this thesis dispel.

Beyond Prince, the 1990s-2000 South Carolina Confederate flag debate is included in broader works on the Confederate flag and Southern identity/culture more generally, including John Coski's *The Confederate Battle Flag: America's Most Embattled Emblem*, James Cobb's *Away Down South: A History of Southern Identity*, Rebecca Bridges Watts' *Contemporary Southern Identity: Community through Controversy*, and David Goldfield's *Still Fighting the Civil War: The American South and Southern History*. Discussed in the context of other symbolic conflicts and identity struggles, especially common to the 1990s, the South Carolina flag debate is presented as the preeminent battle of the Southern culture war because of the sheer longevity and intensity of the debate. John Coski, for example, observed, "Appropriately for the state that was the seedbed of southern secessionism, the flag battle in South Carolina was the loudest of them all."⁵⁶ In Coski's work and others, the South Carolina Confederate flag debate stands as a lesson, or warning, for other states on how not to handle or approach symbolic conflict—and the consequences of such public debate. The observations in these works are particularly interesting fifteen-plus years later, as the mass shooting in Charleston and Confederate battle flag flying at the South Carolina State House at the time again triggered an intense region- and nation-wide debate over the meaning and place of Confederate, and other, public symbols.

Lastly, the South Carolina Confederate flag debate of the 1990s is the focus of a number of shorter social and political science studies. Generally, these studies examine the factors and influences contributing to and surrounding the debate from an analytical

⁵⁶ Coski, *The Confederate Battle Flag*, 245.

standpoint. Studies of note include “The South Carolina Confederate Flag: The Politics of Race and Citizenship” (Woliver, Ledford, and Dolan), “Whose South is it anyway? Race and the Confederate battle flag in South Carolina” (Webster and Leib), “Region, Race, and Support for the South Carolina Confederate Flag” (Cooper and Knotts), and “Public Support for Political Compromise on a Volatile Race Issue: Insight from the Survey Experiment” (Glaser).⁵⁷

Of the shorter studies, Woliver, Ledford, Dolan’s article, “The South Carolina Confederate Flag: The Politics of Race and Citizenship,” proved most insightful for the research at hand. The authors asked what major influences contributed to the Confederate battle flag’s removal from the South Carolina State House dome in 2000, and their research consisted of seventeen interviews with key actors, an analysis of media attention from 1962 to 2000 regarding the Confederate flag in South Carolina, public opinion polls on the flag over time, and personal observations at five pro- and anti-flag demonstrations. In synthesizing these sources, the authors concluded that the increased political power of African American citizens in South Carolina state government, a shift in the scope of the conflict from provincial concern to a national political audience, pressure from business interests, and the “articulation of a universalistic frame of citizenship and sovereignty” ultimately mobilized power to move the flag in 2000.⁵⁸ This thesis argues that it was

⁵⁷ Laura Woliver, Angela D. Ledford and Chris J. Dolan, “The South Carolina Confederate Flag: The Politics of Race and Citizenship,” *Politics & Policy* 29.4 (Dec. 2001): 708-730; Gerald R. Webster and Jonathan I. Leib, “Whose South is it anyway? Race and the Confederate battle flag in South Carolina,” *Political Geography* 20 (2001): 271-299; Christopher A. Cooper and Gibbs H. Knotts, “Region, Race, and Support for the South Carolina Confederate Flag,” *Social Science Quarterly* 87.1 (Mar. 2006): 142-154; James M. Glaser, “Public Support for Political Compromise on a Volatile Racial Issue: Insight from the Survey Experiment,” *Political Psychology* 27.3 (2006): 423-439.

⁵⁸ Woliver, Ledford, and Dolan, “South Carolina Confederate Battle Flag,” 709.

essentially these same factors, though within a much shorter timeframe, that again mobilized power to move the Confederate flag from State House grounds in 2015.

While the literature discussed above, as well as a number of general histories of South Carolina, helped to frame and establish the historical context for the research at hand, the heart of this thesis relies most heavily on primary sources, particularly newspaper accounts, historical records, and government documents. The aforementioned sources are supplemented by personal interviews with three public figures involved in the state's flag debate at different levels, which provide indispensable insight from varying personal and political perspectives.

CHAPTER TWO

SYMBOLIC BATTLEGROUND

The South Carolina Confederate flag debate endures as one of the longest and most divisive battles in an ongoing culture war over the meaning and representation of Southern history and identity in the public spaces of the American South.⁵⁹ Since the late 1980s, the region's public symbols have been the primary battlegrounds of this war.⁶⁰ These symbolic battlegrounds ultimately represent a significant front in the extended fight for equal rights and representation for African Americans in the South. Charles Reagan Wilson explains, "In the 1950s and 1960s, the South tried to desegregate its schools and public accommodations. What we're seeing now is an attempt to desegregate our cultural symbols."⁶¹

⁵⁹ K. Michael Prince, *Rally 'Round the Flag, Boys! South Carolina and the Confederate Flag* (Columbia: University of South Carolina Press, 2004), 6; John M. Coski, *The Confederate Battle Flag: America's Most Embattled Emblem* (Cambridge: The Belknap Press of Harvard University Press), 245; Jonathan I. Leib, Gerald R. Webster, and Roberta H. Webster, "Rebel with a cause? Iconography and public memory in the Southern United States," *GeoJournal* 52 (2001): 303.

⁶⁰ James C. Cobb, *Away Down South: A History of Southern Identity* (New York: Oxford University Press, 2005), 290; Charles Reagan Wilson, *Judgment and Grace in Dixie: Southern Faiths from Faulkner to Elvis* (Athens: University of Georgia Press, 2005), 160-161; Jonathan I. Leib, "Teaching Controversial Topics: Iconography and the Confederate Battle Flag in the South," *Journal of Geography* 97 (1998): 229.

⁶¹ Peter Applebome, "Enduring Symbols of the Confederacy Divide South Anew," *The New York Times*, January 27, 1993.

Over the past three decades, some of the South's most contentious battlegrounds have included the region's monuments, markers, flags, parks, street names, building names, songs, mascots, and holidays—all basic elements of the region's iconography. Iconography refers to the "set of common symbols used to help bind a group of people together within and to a territory."⁶² Peter J. Taylor further defines iconography as "a set of symbols in which people believe, encompassing elements of national feeling from the state flag to the culture transmitted through the state schools."⁶³ A territory's iconography essentially acts as a type of national or regional branding—symbolic shorthand for the distinctive history, culture, or values its members share and take pride in. As such, the symbols that constitute a specific iconography ideally serve as a foundation for identity formation, "the symbolic 'glue' around which a population develops a sense of common identity," because of the unique, common bond members share.⁶⁴

Typically, iconographic symbols work as "centripetal forces," binding a people together by promoting social solidarity around a collective identity.⁶⁵ In the South, however, many symbols of the region's traditional iconography have emerged as "centrifugal forces," "further splitting apart a region's population along major cultural and racial divisions."⁶⁶ The racial and cultural divisions that contemporary conflicts over Southern symbols both expose and reinforce powerfully demonstrate the deep, historic pervasiveness of these divisions in Southern culture and the separate, opposing identities

⁶² Leib, Webster, and Webster, "Rebel with a cause," 303.

⁶³ As quoted in: Leib, "Teaching Controversial Topics," 232.

⁶⁴ Gerald R. Webster and Antoni Luna Garcia, "National Identity Case Study: How is Nationalism Symbolized," *Association of American Geographers Center for Global Geography Education*, October 10, 2010, http://cgge.aag.org/NationalIdentity1e/CaseStudy1_Icons%20of%20Identity_Oct10/Identity_Oct10_print.html.

⁶⁵ Leib, Webster, and Webster, "Rebel with a cause," 303.

⁶⁶ Ibid.

that have formed along them as a result. Most fundamentally, since “the most common foundation of group identity is a shared sense of a common past,” these symbolic conflicts highlight the degree to which Southerners’ feelings about and perceptions of their shared past vary.⁶⁷ As James Cobb suggests, “for all the inspirational rhetoric about heritage they share, contemporary black and white southerners have been and remain a people more divided than united by their common past,” specifically their common past of slavery, the Civil War, Reconstruction, Jim Crow, and Civil Rights.⁶⁸

While most Southerners today at least acknowledge, to some degree, the racial violence, terror, and subjugation that is inextricably bound to the Southern past, a positive version of this past, especially the South’s Confederate past, is still celebrated through the region’s traditional iconography. For more than a century and well into the twentieth, the symbols of the South were indubitably symbols tied to the Confederacy. After the Civil War, the South’s experience of defeat gave rise to the Lost Cause, an organized movement to help white Southerners cope with the identity crisis they faced as a defeated people by recasting their defeat as a noble defense in a holy war aimed to destroy the moral and cultural superiority of a more sacred region.⁶⁹ The myth of the Lost Cause justified the actions of white Southerners before and during the Civil War by not only casting slavery as a benign, civilizing institution, but also abruptly disassociating slavery from the Confederate cause, turning instead to a sole emphasis on the defense of “states’ rights.”⁷⁰ The Lost Cause also fostered nostalgia for antebellum traditions and customs, glorified Old South values and

⁶⁷ Cobb, *Away Down South*, 6.

⁶⁸ *Ibid.*, 290.

⁶⁹ Charles Reagan Wilson, *Baptized in Blood: The Religion of the Lost Cause 1865-1920* (Athens: The University of Georgia Press, 1980), 36.

⁷⁰ Cobb, *Away Down South*, 62.

mores, and sanctified the soldiers who fought to preserve them.⁷¹ Concomitantly, this romanticized Confederate version of the Southern past was enshrined in the South's public memory and culture through an intense memorialization campaign known as the Confederate memorial period, which flourished from the mid-1880s into the 1920s.

During the Confederate memorial period, white Southerners, led by organizations like the Sons of Confederate Veterans and United Daughters of the Confederacy, filled the Southern landscape with monuments and memorials honoring the sacrifice of Confederate soldiers, introduced Confederate images and literature into the region's schools, instated yearly ritual ceremonies, such as Confederate Memorial Day, and organized other public acts of commemoration.⁷² State and local governments also played an active role in enshrining Confederate memory into the South's public culture and spaces by erecting Confederate monuments and markers on Southern courthouse lawns, state capitol grounds, and city streets.⁷³

Initially, Confederate memorial efforts took place within a post-war bereavement period and were therefore mostly solemn and funereal in tone, focused primarily on memorializing the anonymous, common soldier.⁷⁴ However, as the Lost Cause more fully blossomed and years passed after the Civil War, the ceremonial bereavement of the early memorial period gave way to a much more fervent and grandiose celebration of Confederate memory, seen in such commemorative acts as the mythologization of a

⁷¹ Ibid.

⁷² J. Michael Martinez and Robert M. Harris, "Graves, Worms, and Epitaphs," in *Confederate Symbols in the Contemporary South*, ed. by J. Michael Martinez, William D. Richardson, and Ron McNinch-Su (Gainesville: University Press of Florida, 2000), 138-142.

⁷³ Grace Elizabeth Hale, "The Lost Cause and the Meaning of History," *OAH Magazine of History* 27.1 (January 2013): 15.

⁷⁴ Martinez and Harris, "Graves," in *Confederate Symbols*, 138.

pantheon of “Southern heroes” like Robert E. Lee, Jefferson Davis, and Andrew Jackson as saints and martyrs for the Lost Cause.⁷⁵ These latter memorial efforts reflected white Southerners’ mounting anxiety to perpetuate and preserve Confederate memory as well as to retain a distinctive sense of Southern identity and culture, despite the social, economic, and political upheaval wrought by the Civil War and Reconstruction. Confederate iconography and the version of history it promoted effectively allowed the region’s white elite to construct and maintain an ideal of the “Southern way of life” founded on the social and political values and traditions of a romanticized Old South. For these Southerners, Confederate symbols and traditions represented sacred artifacts that evoked spiritual feelings of devotion to the civil religion of the Lost Cause.⁷⁶

Though the vitality of the Confederate memorial period ebbed by the 1920s, as the immediate Civil War generation aged and died off, the movement and efforts of this generation of Southerners in the fifty years following the Civil War succeeded in keeping the myth of the Lost Cause alive for many years after.⁷⁷ Confederate monuments, symbols, and traditions, by then the region’s firmly established iconography, exclusively defined Southern history, identity, and culture as Confederate history, identity, and culture. At a time when white supremacy was the law of the land and the South’s black population was virtually excluded from the region’s public life, the Confederacy unquestionably prevailed as “the supreme moment of southern collective consciousness.”⁷⁸ Not coincidentally, then, when the burgeoning civil rights movement threatened to upend whites’ monopoly on

⁷⁵ Ibid., 144.

⁷⁶ Wilson, *Judgment and Grace*, 22-23.

⁷⁷ Ibid., 21.

⁷⁸ Ibid., 160.

public life in the South, especially after the Supreme Court's 1954 *Brown v. Board of Education* decision, some white Southerners resurrected the use of Confederate symbols and the Lost Cause version of the past in their fight against the civil rights movement and integration, or, as Wilson calls it, "the segregationist Lost Cause."⁷⁹ At high schools and universities across the South, the schools' pep bands abandoned the "Star Spangled Banner" for the playing of "Dixie" before football games, after which the students would chant, "The South will rise again." When southern Democrats split from the national party and formed the Dixiecrat party, they paraded into a convention hall plastered with portraits of Robert E. Lee. When violence erupted in places like Oxford, Little Rock, and Selma, rioters vigorously waved the Confederate battle flag as they hurled rocks and epithets at federal law enforcement officers and civil rights workers. Thus, as Southern segregationists dug in for battle, Confederate symbols took on a harsher, more explicitly racial meaning from the 1950s onward.⁸⁰

Even after Southern segregationists lost their fight against federally mandated integration and the South's public culture theoretically opened to the region's more than ten million black citizens, Confederate symbols continued to dominate the region's iconography for several more decades. This is not to say that black Southerners, or all white Southerners, for that matter, willingly or passively accepted Confederate iconography as their own. In fact, W. Fitzhugh Brundage goes so far as to assert, "The enduring presence of white memory in the South's public spaces and black resistance to it, in short, is a central theme of the southern past."⁸¹

⁷⁹ Hale, "Lost Cause," 15; Wilson, *Judgment and Grace*, 25.

⁸⁰ Ibid.

⁸¹ Brundage, *The Southern Past*, 7.

For decades, African Americans challenged the dominant white memory by creating their own countermemory, passed down and expressed through rituals, art, stories, and songs, a tradition of cultural resistance and resilience dating back to slavery.⁸² “It was still social memory, to be sure, but it existed, as it had to, well out of sight of the general public, flourishing in just those segregated spaces the Jim Crow system created, where whites were not around to stifle it and shout it down,” explains Bruce Baker.⁸³ In this way, Southern blacks posed a largely invisible yet substantive challenge to the historical memory occupying the region’s public spaces; however, as a political group, blacks did not command the means or power necessary to more overtly challenge the South’s well-established Confederate iconography until well into the 1970s.⁸⁴

The first salient challenges to the region’s Confederate iconography and version of the Southern past commenced in the wake of the civil rights movement, when black Southerners began to actively assert their symbolic place in the public life and culture previously denied to them. In a movement Charles Reagan Wilson compares to “the southern creation of the Lost Cause,” the region’s African Americans pushed to establish civil rights memorials and other monuments to black achievement in the South as a way to celebrate and commemorate the civil rights era and black life in the region.⁸⁵ The African American memorial movement of the 1970s was significant because it introduced a new set of symbols and icons to the Southern landscape that directly challenged traditional Confederate iconography by presenting a competing vision of Southern history and

⁸² Brundage, *The Southern Past*, 10.

⁸³ Bruce E. Baker, *What Reconstruction Meant: Historical Memory in the American South* (Charlottesville: University of Virginia Press, 2007), 70.

⁸⁴ Brundage, *The Southern Past*, 10.

⁸⁵ Wilson, *Judgment and Grace*, 161.

identity. The memorial movement also laid important groundwork for a full-scale assault campaign several decades later but still failed to provoke an overt white response at the time.⁸⁶

W. Fitzhugh Brundage attributes Southern whites' determination to bury resistance and avert backlash to an inherent recognition of the delicate balance of power in the South: "Whites could not acknowledge acts of dissent without at the same time admitting the depth of black opposition to their power. Keen to preserve the 'smooth surface' of their ephemeral power, southern whites urgently wanted to keep the social fact of black resistance out of public sight."⁸⁷ Southern whites could only forestall public conflict for so long, however.

The momentum generated by the 1970s memorial movement evolved into more active protests, especially on college campuses, by the mid-to-late-1980s, as Southern blacks experienced a marked increase in political and economic power. By the mid-to-late-1990s, this critical increase in black political power combined with an extremely volatile sociopolitical climate nationally and rising trends toward globalization in the South to create a perfect storm for the smaller skirmishes over Southern history and identity to erupt into a full-on culture war as the twentieth century came to a close.⁸⁸ James Cobb explains, "Th[e] concern with regional identity is especially acute in an era when economic disparity, political polarization, a rising tide of violence, and other pathologies threaten to rip apart the social fabric, even as the new global economy is rapidly rendering distinctions

⁸⁶ Cobb, *Away Down South*, 302; Brundage, *The Southern Past*, 10.

⁸⁷ Brundage, *The Southern Past*, 10-11.

⁸⁸ Applebome, *Dixie Rising*, 9.

among nations themselves increasingly obsolete.”⁸⁹ This could not have rung truer for the South in the 1990s.

Nationally, the 1990s opened amidst a worldwide economic recession, U.S. war in the Middle East, racial tensions and urban riots sparked by the Rodney King case in Los Angeles, heightened fears of both foreign and domestic terrorism after the first World Trade Center bombing, technological anxiety surrounding the advent of the World Wide Web, and ever-increasing political polarization defined by a number of “hot-button” social issues.⁹⁰ During this time of national turbulence, the South faced an identity crisis of its own, as, for arguably the first time since before the Civil War, the region ascended to a position of both national and international dominance, marked by unprecedented economic expansion, population growth, and demographic change.⁹¹ Notably, the South’s international debut during the 1996 Centennial Summer Olympic Games in Atlanta lent special intensity to the struggle over regional image or branding.⁹²

It was against this backdrop of social and political unrest in the early 1990s that the struggle for a more inclusive public culture joined the social, economic, and political battles in the long fight for civil rights and equality in the South. As a journalist for *The New York Times* proclaimed in 1994, “[I]n a logical extension of the civil rights battles of the past, [blacks] are staking claim to their vision of the South—not as background figures on the

⁸⁹ Cobb, *Redefining Southern Culture*, 148.

⁹⁰ Patrick J. Kiger, “What Did the 1990s Mean?,” accessed July 6, 2016, <http://channel.nationalgeographic.com/the-90s-the-last-great-decade/interactives/what-did-the-1990s-mean/>.

⁹¹ James C. Cobb, *The South and America since World War II* (New York: Oxford University Press, 2011), 190; Applebome, *Dixie Rising*, 9; Joel Kotkin, “How the South Will Rise to Power Again,” *Forbes*, January 31, 2013, <http://www.forbes.com/sites/joelkotkin/2013/01/31/how-the-south-will-rise-to-power-again/>.

⁹² Nancy Rivenburgh, “For the Cinderella of the New South, the Shoe Just Didn’t Fit: The ‘Most Exceptional’ Games of 1996,” *International Journal of Sport Communication* 1 (2008): 467-468.

mythic landscape of moonlight and magnolias, not as victims of oppression dragged here from Africa, but as southerners.”⁹³

In addition to continuing the memorial process begun in the 1970s, during the late-1980s and 1990s, civil rights groups began to actively challenge and demand removal of the region’s Confederate iconography, especially state-sanctioned display of the Confederate battle flag. In addition to targeting Confederate symbols, the movement has expanded to other racially connotative iconography, including schools, parks, and buildings named for former slaveholders, Klan leaders, and segregationists. Not surprisingly, these efforts elicited an immediate and severe pushback.

Importantly, though the war over Southern symbols is often cast in terms of “black versus white,” it is by no means strictly a binary issue. Rather, Southerners of all races and nationalities have united around a common goal of creating a more inclusive and tolerant public culture for the present and future. While many Southerners now understand the hateful and harmful meanings inherent in all Confederate symbols, or at least concede that such historically exclusionary symbols are not appropriate for public display, others still fiercely defend the South’s Confederate symbols.

For some Southerners, Confederate symbols represent a noble Southern heritage based upon inherited stories of family danger and sacrifice; therefore, calls to abandon these symbols represent “a genealogical and cultural lobotomy.”⁹⁴ For others, removal efforts are the latest infringement on states’ rights and free speech. And still others unabashedly subscribe to the racist and white supremacist ideologies that many flag

⁹³ Peter Applebome, “A Sweetness Tempers South’s Bitter Past,” *The New York Times*, July 31, 1994.

⁹⁴ Wilson, *Judgment and Grace*, 160.

defenders try so hard to disclaim. Further, Brundage notes that in recent years, some “white southerners who venerate the Confederacy have responded to attacks on Confederate symbols by portraying themselves as an embattled minority whose heritage has been unfairly and illegally suppressed”—a testament to the strength, as well as the stakes, of the still raging culture war over Southern symbols.⁹⁵

Power of Symbols

Symbols are so powerful because “[t]hey say at a glimpse what words cannot.”⁹⁶ The problem with symbols, however, is that they “say” different things to different people. This is because all symbols are inherently ambiguous, leaving them open to multiple interpretations, evolving interpretations, and even conflicting interpretations—as the contemporary war over Confederate symbols so poignantly illustrates.

History, culture, and personal experiences imbue certain objects (symbols) with meaning. A symbol is anything that carries a particular meaning commonly recognized by those who share a culture. Critically, because meaning is culturally derived, it is not inherent in the object itself. Therefore, meaning varies from culture to culture and from person to person. Meaning also changes over time, as the circumstances, power relations, and perceptions within a culture necessarily change overtime.

In their introduction to *Confederate Symbols in the Contemporary South*, J. Michael Martinez and William D. Richardson contend, “Confederate flags and monuments have

⁹⁵ Brundage, *The Southern Past*, 334.

⁹⁶ William C. Davis, “The Right Way to Remember the Confederacy,” *Wall Street Journal*, July 12, 2015.

generated much controversy in recent years because of the ambiguities inherent in the symbols themselves and because of conflicting interpretations of Southern history in general, and the Confederacy in particular.”⁹⁷ The Confederate battle flag has emerged as “the most familiar, potent, and embattled of all Confederate emblems”—and the center of today’s culture war—not just because of how it was used *in* the Confederacy but because of the many ways in which it has been used *since* the Confederacy.⁹⁸ While more Confederate soldiers served under today’s Confederate battle flag than any other banner during the Civil War, the battle flag attained its far greatest visibility, not during the Civil War, but in the three decades following World War II. John Coski emphasizes this point, as well, writing, “More people have carried Confederate flags in memorial parades and ceremonies, displayed them in houses or yards, worn them on T-shirts and hats, or waved them at football games, stock car races, and segregationist rallies since World War II than fought under them during the Civil War.”⁹⁹ An examination of the debate surrounding the Confederate battle flag necessarily warrants an examination of the history of the Confederate battle flag, because each piece of history adds additional, important layers of meaning that inform the contemporary debate over the Confederate battle flag in profound ways.

⁹⁷ J. Michael Martinez and William D. Richardson, “Understanding the Debate over Confederate Symbols,” in *Confederate Symbols in the Contemporary South*, ed. by J. Michael Martinez, William D. Richardson, and Ron McNinch-Su (Gainesville: University Press of Florida, 2000), 5.

⁹⁸ Coski, *Confederate Battle Flag*, viii.

⁹⁹ *Ibid.*, 97.

The Confederate Battle Flag

The flag most commonly referred to today as the “Confederate battle flag,” or simply *the* Confederate flag, describes the familiar red banner featuring a bright blue diagonal cross, the St. Andrew’s cross, adorned with thirteen white stars for the thirteen Confederate states.¹⁰⁰ The “Confederate battle flag,” as it exists today, was neither one of the three national flags adopted by the Confederate States of America between 1861 and 1865, nor a single, identifiable battle flag of the Confederate army. Rather, the “Southern Cross” pattern, as it was dubbed by its contemporaries, was central to a wide array of battle flags and naval jacks, varying in size, shape, color, and detail.¹⁰¹ For example, the square, wide-bordered battle flag, one of the more common versions displayed today, belonged to Robert E. Lee’s Army of Northern Virginia (ANV).¹⁰² The Southern Cross also was incorporated into the Confederacy’s Second and Third National flags—but only after much debate and a seemingly inauspicious start.

Fittingly for the state at the center of so many contemporary flag debates, South Carolina had a leading hand in the controversial inception and subsequent proliferation of the Southern Cross. The Southern Cross ultimately was born of military necessity. During early engagements in the Civil War, the Confederacy’s First National flag, the “Stars and Bars,” was commonly mistaken for the Union flag, the “Stars and Stripes,” causing

¹⁰⁰ J. Michael Martinez and William D. Richardson, “Understanding the Debate over Confederate Symbols,” in *Confederate Symbols in the Contemporary South*, ed. by J. Michael Martinez, William D. Richardson, and Ron McNinch-Su (Gainesville: University Press of Florida, 2000), 5.

¹⁰¹ Devereaux D. Cannon Jr., *The Flags of the Confederacy: An Illustrated History* (Memphis: St. Lukes Press, 1988).

¹⁰² Coski, *Confederate Battle Flag*, 14; Prince, *Rally*, 17.

confusion, disarray, and, at times, deadly “friendly fire” exchanges.¹⁰³ Before practicality precipitated the adoption of the Southern Cross as a battle flag, however, the process of selecting and celebrating a new national flag for the fledgling Confederacy was a heated contest that “raised difficult questions about the new country’s immediate future.”¹⁰⁴

Much like the debate over what policies the new Confederate government would undertake, the crux of the flag design controversy centered upon whether to emulate the Stars and Stripes of the Union or to deliberately depart from the traditions of their former government.¹⁰⁵ Leading the debate for each side, respectively, were Representative Walker Brooke of Mississippi and Senator William Porcher Miles, “a fire-eating radical from South Carolina” and chairman of the (Confederate) Congressional Committee on Flag and Seal.¹⁰⁶ In a charged public exchange on the floor of the Confederacy’s Provisional Congress, Brooke passionately invoked a nostalgia for the strength of American patriotism and urged members of the Congress to adopt a banner “as similar as possible to the flag of the United States,” changing it only enough to “distinguish one easily from the other.”¹⁰⁷ Miles, on the other hand, opposed such emulation from an ideological, rather than aesthetic, standpoint, denouncing what he sensed was “the undertone of a desire to reconstruct with the U.S. government.”¹⁰⁸ In his response to Brooke, Miles “lamented the ‘over-estimate’ that his fellow southerners placed on the ‘glories of the flag of the United States,’ especially since he

¹⁰³ Prince, *Rally*, 16.

¹⁰⁴ Robert E. Bonner, *Colors and Blood: Flag Passions of the Confederate South* (Princeton: Princeton University Press, 2002), 39.

¹⁰⁵ *Ibid.*, 40-42.

¹⁰⁶ *Ibid.*; Coski, “The Confederate Battle Flag,” 90.

¹⁰⁷ Bonner, *Colors and Blood*, 41.

¹⁰⁸ Coski, “The Confederate Battle Flag,” 90; Bonner, *Colors and Blood*, 41.

had learned during his own fire-eating childhood that this was ‘not a friendly flag’ but the ‘flag of a hostile Government.’”¹⁰⁹

The design finally recommended by the Flag and Seal committee and approved by the Provisional Congress in March 1861 reflected what Miles ultimately conceded was a “strong and earnest desire to retain at least a suggestion of the old ‘Stars and Stripes.’”¹¹⁰

The Confederacy’s First National flag, which became known as the Stars and Bars, featured three horizontal stripes, alternating red and white, with a canton of blue emblazoned with white stars corresponding to the number of states that had joined the Confederacy.¹¹¹

Robert Bonner attributes the prevailing attachment to the Stars and Stripes, in part, to the fact that “each of [the delegates], save the South Carolinians, represented states that had been badly split on the basic question of disunion.”¹¹² Interestingly, in what became an informal public design competition the month before the Congress approved the new flag, South Carolinians collectively contributed more letters and designs than the rest of the seceded states combined.¹¹³ South Carolinians also were among those who demanded the sharpest break from Union traditions, introducing the question of slavery into the initial consideration of national symbols by submitting designs that both depicted slaves and explicitly championed proslavery principles.¹¹⁴

That South Carolinians were among those who not only demanded the sharpest break from Union principles but also advocated for the inclusion of proslavery emblems in the national flag of the Confederacy is revealing because it underscores the centrality of

¹⁰⁹ Bonner, *Colors and Blood*, 42.

¹¹⁰ Ibid., 45; Coski, “The Confederate Battle Flag,” 91.

¹¹¹ Coski, “The Confederate Battle Flag,” 91.

¹¹² Bonner, *Colors and Blood*, 40.

¹¹³ Ibid., 47.

¹¹⁴ Ibid., 48.

slavery to both the Confederate cause and South Carolinians' secessionist mindset, despite later attempts to disassociate the institution of slavery from both in defending the Confederate flag at the South Carolina State House. That both the Provisional Congress and the Southern press, which played a key role in rallying and gauging popular enthusiasm for potential flag designs, remained silent on the proslavery flags submitted in the spring of 1861 is equally significant because it demonstrates how, "[e]ven before the Civil War began, Confederate symbols served as a way of deflecting attention from the crucial issues of slavery and race that defined the sectional crisis between the North and South."¹¹⁵ "The whitewashing of Confederate symbols would be pursued most aggressively during the postwar period This persistent quest to avoid racial themes in Confederate symbols was an attempt to obscure the important role that slavery played in precipitating the Civil War and in shaping nearly every aspect of Confederate politics and culture," Bonner asserts.¹¹⁶

In light of Senator Miles' and other South Carolinians' adamant opposition to a flag resembling the Union's Stars and Stripes, it follows that when General P.G.T. Beauregard publicly complained that confusion surrounding the Stars and Bars nearly cost him Confederate victory in the first major battle of war, the late July 1861 Battle of First Manassas, Miles welcomed this criticism and immediately set about lobbying public support for adopting a new national flag.¹¹⁷ However, when Miles approached the Committee on the Flag and Seal with the complaints about the Stars and Bars in battle, as

¹¹⁵ Ibid., 49.

¹¹⁶ Ibid.

¹¹⁷ Ibid., 82; Coski, "The Confederate Battle Flag," 92.

well as a proposal to change the flag—suggesting, as an alternative, one featuring the St. Andrew’s cross—the committee rejected his proposal by a 4-1 vote.¹¹⁸

Importantly, though Miles is credited widely with designing today’s Confederate battle flag, it is General Beauregard, with the help of General Joseph Johnston, who devised adoption Miles’ of St. Andrew’s cross pattern as a “war flag,” separate and distinct from the Confederacy’s national flag, and who successfully promoted its diffusion throughout the Confederate army.¹¹⁹ By introducing and celebrating the Southern Cross as a battle flag—the flag of the soldier—Beauregard and Johnston effectively ensured its survival as the single most enduring symbol of the Confederacy, not only by the end of the Civil War but for more than a century and a half thereafter.

After hearing of the Flag and Seal committee’s rejection of Miles’ proposal to adopt a new national flag, General Beauregard wrote to Miles suggesting that they address the War Department about adopting a “war flag to be used only on the field of battle,” and obtaining a supply for his Army of the Potomac (later the ANV under Lee).¹²⁰ The high command of the Virginia army subsequently met in September 1861 and unanimously adopted Miles’ basic St. Andrew’s cross pattern as their new battle flag.¹²¹ Due to the necessities of war, as well as the efforts of Beauregard and Johnston as they were transferred to different theaters, other Confederate armies adopted their own versions of the Southern Cross.¹²² By the war’s end in 1865, more Confederate soldiers had served and fought under some version of the Southern Cross than any other single design.¹²³

¹¹⁸ Coski, *Confederate Battle Flag*, 8.

¹¹⁹ *Ibid.*, 11.

¹²⁰ *Ibid.*, 8 (emphasis in original).

¹²¹ Coski, “The Confederate Battle Flag,” 93.

¹²² *Ibid.*, 94.

¹²³ Coski, *Confederate Battle Flag*, 33.

Though later incorporated into the national flag, the significance of the Southern Cross' origins as a martial, or "battle," flag cannot be overstated. John Coski explains, "[B]attle flags of all patterns served important practical and, especially, emotional functions. Flags were tangible cloth embodiments of military units' morale and spirit of community. Carrying the regimental colors was a high honor and grave responsibility; losing colors occasioned mortification and grief."¹²⁴ As more Confederate soldiers fought and made the ultimate sacrifice under the Southern Cross than any other flag, the experience of war forged a transcendent bond between them and the blood-stained, battle-torn Southern Crosses they followed into battle.

As the war progressed, the wider Confederate public also developed a strong emotional attachment to the Southern Cross. Using the ANV banner as an example, Coski writes, "For a nation that survived only as long as its armies survived, the flag of the soldier understandably became the flag of the nation. Robert E. Lee's Army of Northern Virginia, not the government of President Jefferson Davis, was the entity in which southern civilians placed their confidence and their hopes for victory."¹²⁵ The primacy of the Confederate army, as embodied by the Southern Cross, to an evolving sense of Confederate nationalism was confirmed in 1863 when the Confederate Congress incorporated the emblem into a new national flag.¹²⁶

The primacy of the Southern Cross to the Confederate spirit and cause was evident in the emotional trauma brought about by the surrender of flags at the end of war: "Surrender meant that 'some maimed and battle-worn Confederate' would watch as his flag

¹²⁴ Coski, "The Confederate Battle Flag," 94.

¹²⁵ Coski, *Confederate Battle Flag*, 14.

¹²⁶ Ibid.; Coski, "The Confederate Battle Flag," 96-97.

was ‘formally lowered, officially torn, trampled and abolished forever.’ ... Laying down the flags spelled the disarming of the Confederacy—tragic not only because it meant the death of the new nation but also because it dashed the hopes and wasted the heroic efforts of the Confederate soldiers.”¹²⁷ Those not captured or surrendered were furled or tucked away.¹²⁸

The end of the Civil War marked a critical turning point for the legacy of the Southern Cross, as it did for all Confederate symbols. With Reconstruction came an implied prohibition against the postwar display of Confederate flags and other symbols of “the ‘rebellion.’”¹²⁹ Because of the immediate postwar absence of Confederate symbols during Reconstruction, followed by their re-emergence after the South’s “redemption,” Kevin Thornton contends, “Today’s Confederate symbols are not artifacts of the Confederacy, but rather artifacts of post-Reconstruction Confederate revivals.”¹³⁰ The Southern Cross, or “Confederate battle flag,” thus owes its contemporary status and visibility—as the most enduring symbol of the Confederacy—to two distinct eras of revival beyond the Confederacy: the Confederate memorial period (late-1880s-1920s) and the mid-twentieth century (post-World War II-early 1970s).¹³¹

In the late-1880s, the Southern Cross became the primary beneficiary of a movement dedicated to the ritual celebration and memorialization of the Confederacy. This movement, later known as the Confederate memorial period, evolved as local women’s and veterans’ organizations, formed immediately after the war to honor the dead and care for

¹²⁷ Coski, *Confederate Battle Flag*, 41-42.

¹²⁸ Coski, “The Confederate Battle Flag,” 100.

¹²⁹ Ibid.

¹³⁰ Kevin Thornton, “The Confederate Flag and the Meaning of Southern History,” *Southern Cultures* 2.2 (1996): 237.

¹³¹ Ibid., 235; Coski, “The Confederate Battle Flag,” 101.

survivors, blossomed into national umbrella groups, such as the United Confederate Veterans (UCV), Sons of Confederate Veterans (SCV), and United Daughters of the Confederacy (UDC).¹³² As veterans—the South’s “living monuments”—became the focal point of the Confederate cause, naturally, the flag regarded as most meaningful to them—the Southern Cross—became the focal point of the era’s rituals and ceremonies.¹³³ By the 1890s, both preserved battle flags and postwar reproductions were fixtures at reunions, parades, Confederate Memorial Day ceremonies, and other Confederate celebrations across the South.

The evolution of the flag from battle standard to a parade banner marked a change in how the former Confederate public was willing to perceive and utilize the flag for its own purposes. Honoring Confederate veterans was not the sole purpose of the flags enshrined and displayed during the Confederate memorial period. Confederate memorial organizations put enormous effort into flag-related activities because of the battle flag’s power to evoke loyalty to the heroes of the war and the values they had defended with their lives.¹³⁴ In this way, the Southern Cross battle flag was indispensable to Confederate heritage groups’ postwar efforts to vindicate and perpetuate the Lost Cause. “Unfurling flags, as well as placing them in shrines and endowing them with official histories, was their way of transmitting a distinct view of the past to subsequent generations,” Bonner explains.¹³⁵ The flag began to be used as a form of propaganda, as a means to perpetuate an ideal consistent with the culture and values of the Southern white elite.

¹³² Coski, *Confederate Battle Flag*, 50-51.

¹³³ Bonner, *Colors and Blood*, 167; Coski, “The Confederate Battle Flag,” 102.

¹³⁴ Bonner, *Colors and Blood*, 167.

¹³⁵ Ibid.

The second major period of revival for the Confederate flag came in the years after World War II and lasted roughly until the early 1970s.

Two separate instances during World War II foreshadowed the many contexts in which the flag would appear over the next several decades. On the home front, the earliest documented use of the Confederate battle flag by the Ku Klux Klan (KKK) occurred during World War II. The KKK is the group that most Americans now closely associate with the Confederate flag.¹³⁶ A common misconception often asserted by opponents of the flag is that the Ku Klux Klan adopted the battle flag upon its founding by former Confederates in 1865 and has been using it in its terror campaigns ever since; however, despite confirmed Confederate roots, there is no evidence that the original, Reconstruction-era Klan, or even its second incarnation in 1915, used Confederate flags in its rituals or terrorist acts.¹³⁷ Instead, the earliest documented use of the Confederate flag by the KKK was in its third incarnation in the late 1930s and 1940s, when an undercover Klan investigator noted the flag's presence at an altar during the group's initiation ritual and other private ceremonies.¹³⁸ The flag's appearance in private rituals as early as World War II grimly foreshadowed the infamous role the flag would play in the Klan's subsequent terror campaigns, becoming the group's second most important symbol by the late-1950s, behind only the fiery cross.¹³⁹

The Klan's embrace of the Confederate battle flag is one of the most critical developments in the history of the Confederate flag, as "no organization has had a greater

¹³⁶ Ibid., 87.

¹³⁷ Ibid, 84-85.

¹³⁸ Ibid., 88.

¹³⁹ Hale, "Lost Cause," 15.

role in shaping the media's perception and presentation of the Confederate flag than the KKK."¹⁴⁰ Not long after the Klan visibly embraced the Confederate battle flag, other terror organizations and hate groups followed suit, including the White Citizens' Council and the "Juvenile Delinquents of the KKK," a U.S.-based fascist organization that blended Nazi and Confederate symbolism.¹⁴¹ These groups hijacked the Confederate battle flag and used it as a weapon to enforce and uphold white supremacy in the South. As terror campaigns increased in frequency and intensity leading up to the civil rights movement, the Confederate flag quickly became an explicit and powerful symbol of white supremacy, the defense of Jim Crow, and racial intimidation, subjugation, and violence.¹⁴²

Thousands of miles away and concurrent with the Confederate flag's appearance in the KKK ritual ceremonies, white Southern servicemen grabbed national headlines for displaying the Confederate battle flag overseas. Among the more audacious displays, on at least two occasions, a self-styled "Dixie" company of the 1st Marine Regiment raised a Confederate battle flag, instead of the American flag, over captured enemy positions in the Pacific.¹⁴³ While commanding officers reacted to this and other incidents involving the Confederate flag by consistently enforcing regulations against the display of all unofficial banners, they also praised the battle flag "as symbolizing an appropriate and encouraging melding of American patriotism with Southern militarism."¹⁴⁴ This expression of general tolerance of the Confederate flag in the military, at least in sentiment, foreshadowed the

¹⁴⁰ Coski, *Confederate Battle Flag*, 84.

¹⁴¹ Webster and Leib, "Whose South," 275; Coski, *Confederate Battle Flag*, 87-88.

¹⁴² Hale, "The Lost Cause," 15; Thornton, "Meaning of Southern History," 236.

¹⁴³ Coski, "Confederate Battle Flag," 108.

¹⁴⁴ Ibid.

national Confederate flag craze that awaited American soldiers returning after the war. The flag was working its way into mainstream America.

The first of three major “flag-fads” in the second half of the twenty-first century, the Confederate flag-fad that swept the United States between the late-1940s and early-1950s was characterized “not [by] the flag’s popularity in the South but the enormous, seemingly inexplicable, popularity of the flag in the North.”¹⁴⁵ Beginning in 1948, Confederate flags outsold U.S. flags in stores all across America, and flag dealers in the South were busy filling orders they received from the North and the West Coast, from states as far away as California, New York, and Michigan.¹⁴⁶ By 1951, the largest maker of Confederate flags, New Jersey-based Annin & Co., was producing 100,000 flags a week, selling a total of more than 1.6 million Confederate flags that year.¹⁴⁷ This nationwide Confederate flag craze also gave birth to what Charles Reagan Wilson has described as the “Lost Cause souvenir industry, which seems to operate out of Taiwan, [and] turns out Confederate flag beach towels, cigarette lighters, oversized T-shirts, and ... Confederate flag jogging shorts.”¹⁴⁸ During the fad’s peak years, Confederate flag-clad everything even dominated on the Fourth of July, seen “[e]verywhere along the Atlantic seaboard from New York to Miami and westward to the Mississippi watershed,” the *New York Times* reported.¹⁴⁹

While the Confederate flag gained unprecedented nationwide visibility as a result of the flag-fad that exploded across the United States beginning in 1948, it is the Southern Democrats’ break from the national party and formation of the States’ Rights Democratic

¹⁴⁵ Coski, *Confederate Battle Flag*, 111.

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

¹⁴⁸ Wilson, *Judgment and Grace*, 27.

¹⁴⁹ Coski, *Confederate Battle Flag*, 111.

Party the same year that is most often identified as the greatest basis for the Confederate flag's rejuvenation in the twentieth century.¹⁵⁰ In a demonstration pre-coordinated by Mississippi governor Fielding Wright, Southern delegates to the 1948 Democratic National Convention paraded out of the Philadelphia convention hall waving Confederate flags to protest the party's embrace of President Truman's civil rights program.¹⁵¹ The delegates reconvened as the States' Rights Democratic (Dixiecrat) Party in Birmingham, Alabama several weeks later.¹⁵² In a convention hall filled with Confederate flags and images of Robert E. Lee, the delegates nominated South Carolina governor Strom Thurmond for president and Mississippi's Fielding Wright for vice president.¹⁵³ At a second convention, meeting in Oklahoma City on August 14, 1948, the Dixiecrats adopted a party platform that bluntly stated, "We stand for the segregation of the races and the racial integrity of each race ... We oppose the elimination of segregation, the repeal of miscegenation statutes ... called for by the misnamed civil rights program. We favor home-rule, local self-government and a minimum interference with individual rights."¹⁵⁴ This party platform, paired with the widely circulated images of the Dixiecrats' dramatic exit from the Democratic National Convention, effectively cemented the Confederate battle flag's association with Southern defiance of federal integration policies and thrust the flag into a modern political and ideological arena.¹⁵⁵ By marrying the Confederate battle flag and southern-segregationist

¹⁵⁰ Chris Springer, "The troubled resurgence of the Confederate flag," *History Today* 43 (1993): 8; Webster and Leib, "Whose South," 274; Coski, *Confederate Battle Flag*, 79.

¹⁵¹ Ibid.

¹⁵² Coski, "Confederate Battle Flag," 109.

¹⁵³ Ibid.; Springer, "Troubled resurgence," 8.

¹⁵⁴ "Platform of the States Rights Democratic Party, August 14, 1948," The American Presidency Project, accessed July 6, 2016, <http://www.presidency.ucsb.edu/ws/index.php?pid=25851#axzz1iGn93BZz>.

¹⁵⁵ Springer, "Troubled resurgence," 8; Coski, *Confederate Battle Flag*, 98.

political ideology, the Dixiecrats' legacy and influence long outlived the party, which dissolved after the 1948 election.

The Dixiecrats' 1948 campaign also precipitated a second, distinctly Southern Confederate flag-fad that greatly intensified the flag's already growing popularity in the South from the national trend.¹⁵⁶ After the convention, Southern flag manufacturers reported increases in flag sales ranging from 3,000 to 10,000 percent over the previous year.¹⁵⁷ This fad was attributed largely to the party's ability to energize and mobilize youth, as seen at the Birmingham convention. In addition to the "southern Democrat regulars," the state delegations to Birmingham boasted large numbers of college students. Mississippi proudly sent fifty-five delegates from Ole Miss, the largest collegiate delegation.¹⁵⁸ The effect could be seen on college campuses across the South, as the Confederate flag became fully entrenched in the schools' oldest traditions and campus life, from fraternity houses to social functions to athletics. Further, unlike many "fads," Coski emphasizes that proliferation of Confederate flags directly after the Dixiecrat rebellion "cannot ... be dismissed as a product of collegiate shenanigans."¹⁵⁹ Rather, the Confederate flags appearing on college campuses and elsewhere in the South were deliberate and political—and only would become more so as the South dug in for the impending civil rights movement.

In 1954, the U.S. Supreme Court, in *Brown v. Board of Education*, declared "separate but equal" educational facilities unconstitutional, paving the way for the integration of

¹⁵⁶ Coski, *Confederate Battle Flag*, 107.

¹⁵⁷ Coski, "The Confederate Battle Flag," 110.

¹⁵⁸ Coski, *Confederate Battle Flag*, 101.

¹⁵⁹ Coski, "The Confederate Battle Flag," 109-10.

public schools. The number of Confederate flags in the South seemed to multiply exponentially each year after *Brown*. As much of the South went to battle against the federal government and the approaching threat of forced integration, the Confederate battle flag quickly became a nationally and internationally recognized symbol of Southern resistance to integration and civil rights. The South's most ardent segregationists, such as Alabama's George Wallace, Mississippi's Ross Barnett, and Georgia's Lester Maddox, rallied behind the Confederate flag as they pledged allegiance to Jim Crow, stood in front of schoolhouse doors, and openly defied federal orders.¹⁶⁰ South Carolina, Alabama, and Georgia raised the Confederate flag above their capitol buildings or incorporated it into their state flags to show their bold commitment to segregation.¹⁶¹ Confederate battle flags are prominent in many of the most potent images that exploded from the South during that time, such as the bloody violence surrounding public school desegregation in cities like Little Rock, Birmingham, Oxford, Tuscaloosa, Richmond, and New Orleans.¹⁶² Flag images likewise are ingrained in the public memory of Bloody Sunday and the Selma-to-Montgomery march, mob violence against the Freedom Riders, black intimidation during Freedom Summer voter registration drives, and countless other acts of violence or hatred toward blacks, including increased terror campaigns of groups like the KKK and Conservative Citizens' Council (CCC).¹⁶³ Today, the Confederate battle flag is as much associated with the civil rights movement as it is with the Civil War.

¹⁶⁰ Coski, *Confederate Battle Flag*, 154.

¹⁶¹ James Forman, Jr., "Driving Dixie Down: Removing the Confederate Flag from Southern State Capitols," in *Confederate Symbols in the Contemporary South*, ed. by J. Michael Martinez, William D. Richardson, and Ron McNinch-Su (Gainesville: University Press of Florida, 2000), 195.

¹⁶² Coski, "Confederate Battle Flag," 113-114.

¹⁶³ Coski, *Confederate Battle Flag*, 114-115; Thornton, "Meaning of Southern History," 236-237; Cobb, *Away Down South*, 295.

In the early 1970s, the Confederate battle flag again entered into popular culture, this time as shorthand for “redneck” or “good ol’ boy”—“the symbol for all things southern, the ‘redneck bandana,’ an emblem of undifferentiated regionalism and sectional pride.”¹⁶⁴ This image of the Confederate flag was embraced by several popular southern rock bands of the era, including Lynyrd Skynyrd and the Allman Brothers, and eventually became an icon of the genre as a whole.¹⁶⁵ It also made its way to television, most notably with the *Dukes of Hazard*, which aired from 1979 until 1985. Though the redneck banner, especially as embraced by southern rock bands of the time, certainly bore distinctly southern cultural and political meaning, it also gained wider cultural acceptance in the 1970s as a “symbol for the fierce independence and individual rebelliousness common to all types of people,” embraced by bikers, truckers, “backwoods,” and other self-identifying “rebels” well beyond the South.¹⁶⁶

As the Confederate battle flag transformed from a flag of the Confederate soldier to a totem of Confederate memorial organizations, and then to a widely used banner with diverse symbolic meanings in the years after World War II, the flag came to represent everything from honor and family sacrifice, to cheap tacky clothing, to white supremacy and NASCAR. Each different representation brings different passions, different players, and different viewpoints into the contemporary debate raging over the symbol today. This is why the debate over the Confederate battle flag is so complicated—it is at once personal, emotional, commercial, political, cultural, and historical.

¹⁶⁴ Prince, *Rally*, 15.

¹⁶⁵ Coski, *Confederate Battle Flag*, 174.

¹⁶⁶ *Ibid.*, 173.

What is important to remember in the debate over the Confederate flag as a *public* symbol, however, is that meanings do not exist in solitary form. While the Confederate battle flag is an honorable symbol of family history, heritage, and loss for some, it is simultaneously a hateful symbol of segregation, white supremacy, violence, and centuries of racial subjugation for others. Such multiple reactions explain why the Confederate battle flag is inappropriate for public display today. The same conflicting interests guarantee the region's flags would not and will not come down without a fight.

Additionally, modern-day heritage defenders often challenge opponents of the Confederate flag to look beyond the battle flag's "misappropriation" by hate groups and segregationists during the civil rights movement, and instead recognize the flag's original, or "pure," intent and purpose as a war memorial to the greatest loss of life that ever occurred on American soil.¹⁶⁷ This initiative is reflected in the switch in many locales from the rectangular un-bordered "Rebel flag" to a more "historically accurate" battle flag, such as Lee's ANV flag. However, even if the images of the riots, terror, and violence of the 1950s and 1960s could be somehow divorced from the prominent Southern cross pattern, the argument is still inherently flawed. Kevin Thornton explains, "Confederate public symbols were not just appropriated to symbolize segregation in the South of the 1950s. Rather, these symbols helped to create, and were from the beginning, symbols of a segregated South. The emergence of the glorious public memory of the Lost Cause was as inseparable from the birth of Jim Crow as the war was from slavery."¹⁶⁸ Confederate flags and symbols simply were not challenged then as they are now because they were protected by an

¹⁶⁷ Ibid., 97.

¹⁶⁸ Thornton, "Meaning of Southern History," 237.

explicitly white supremacist social order. Not coincidentally, as that social order began to crumble, so did their protection, and challenges to the Confederate battle flag evolved as black political power evolved.¹⁶⁹

Taking Aim

Though serious challenges to the officially sanctioned use of Confederate flags in the South increased, especially on college campuses, beginning in the mid-1970s, these protests and calls for removal went largely unheeded and, in many instances, only strengthened a commitment to the Confederate battle flag. The mid-1980s saw a noticeable spike in incidents in which the Confederate flag was implicated in direct acts of racial hostility or violence toward blacks, including a highly publicized incident in Forsyth County, Georgia, where white supremacists waving Confederate flags attacked civil rights marchers.¹⁷⁰

In March 1987, a month after the Forsyth County incident, delegates to the Southeast Region NAACP Leadership Conference, meeting in Greenville, South Carolina, responded by passing a resolution targeting the state-sanctioned display of the Confederate battle flag in four former Confederate states.¹⁷¹ The resolution described the Confederate flag as “a symbol of divisiveness, racial animosity, and an insult to black people through the region.”¹⁷² It then called on “the states of South Carolina and Alabama to take

¹⁶⁹ Coski, “Confederate Battle Flag,” 117.

¹⁷⁰ Cobb, *Away Down South*, 285.

¹⁷¹ Earl T. Shinhoster, “Flag Waving Down South. How Long?: Battling an ‘Inappropriate Display,’” *Southern Changes* 11.1 (1989): 12.

¹⁷² Resolution reprinted in: John M. Coski, “The Confederate Battle Flag in American History and Culture” (photo essay), *Southern Cultures* 2.2 (Winter 1996): 226.

necessary action to remove the Confederate battle flag from the domes of their capitol buildings...the state of Georgia to return to its standard state flag of pre-1956...and...the state of Mississippi to return to its standard state flag of pre-1894.”¹⁷³

The NAACP’s national office provided support for the Southeast Region’s initiative by calling upon all branches across the nation to circulate petitions, speak out, and take any steps necessary to “dramatize the NAACP’s resolve to remove the Confederate Battle Flags from official use.”¹⁷⁴ By concentrating its resources and national attention on the continued state-sponsored display of Confederate battle flags at state capitols in the South, the NAACP effectively formalized the mounting culture war over Confederate symbols and established the agenda for more than two decades of sustained action.¹⁷⁵ For the first time, with the help of national mobilization by organizations, southern blacks, as a social and political group, had enough clout, organizational skills, and resources to cause states to notice their demands.

¹⁷³ Ibid.

¹⁷⁴ Coski, *Confederate Battle Flag*, 236.

¹⁷⁵ Ibid.

CHAPTER THREE

SOUTH CAROLINA AND THE CONFEDERATE BATTLE FLAG

Of the officially sponsored flags that the NAACP targeted, the struggle over the Confederate battle flag in South Carolina prevails as “[t]he most vigorous and revealing,” “a cause celebre,” and “the loudest of them all.”¹⁷⁶

Once a 1993 federal court decision enjoined the removal of the Confederate battle flag from the Alabama state capitol, the flag display in South Carolina became the last of its kind. In this sense, the flag debate in South Carolina was hugely symbolic. South Carolina, the first state to secede from the Union and the first to fire in the Civil War, was the last state to fly a battle flag of the Confederacy in such a singular position of sovereignty. Not only did South Carolina fly the Confederate battle flag from its capitol dome, on the same pole as the state and federal sovereign banners, but the House and Senate chambers also displayed the Confederate flag in a position equal to the U.S. flag and the official state flag.

Inevitably, the Confederate flag debate in South Carolina was predestined to be the longest and most divisive of the many similar debates across the region. South Carolina’s preeminent role in leading secession and instigating the first battle of the Civil War, as well

¹⁷⁶ Thomas J. Brown, *Civil War Canon: Sites of Confederate Memory in South Carolina* (Chapel Hill: University of North Carolina Press, 2015), 202; Prince, *Rally*, 6; Coski, *Confederate Battle Flag*, 245.

as the state's claim to flag-designer William Porcher Miles, clinched South Carolina's deep loyalty to the Confederate battle flag. Significantly, South Carolina's unique historic claim to the Confederate battle flag greatly influenced the course of debate in the state and ensured the South Carolina battle flag's endurance as the premier Confederate symbol of the ongoing culture war in the South.

The strength of the flag's historic symbolism in the state propelled debate for years, until political and economic expedience finally put the matter to rest. A closer examination of the state's deep-seeded claim to the Confederate battle flag, the context in which each of the battle flags was raised at the South Carolina State House, and the major influences of South Carolina's modern political culture is imperative to understanding how and why the Confederate flag debate unfolded as it did in South Carolina, as well as its lasting consequences for the state.

The Heritage Holdout

Unlike the flag debates in Georgia and Mississippi, which were left to public referendum, and Alabama, which was settled in state court, the South Carolina Confederate flag debate was controlled and ultimately decided by the South Carolina state legislature. Consequently, South Carolina's political elite had a uniquely powerful hand in shaping the predominant arguments on either side of the flag debate.

While strong, diverse opposition to the battle flag ultimately prevailed in removing the Confederate flag from the dome, an extremely strong "heritage defense," led by some of South Carolina's longest-seated and most powerful lawmakers, including Glenn McConnell,

John Courson, Arthur Ravenel, Jr., and Verne Smith, commandeered the lengthy debate inside the State House, secured the flag's relocation "in a position of honor" on State House grounds, and greatly shaped public perception of the debate. Influential political leaders, who "consider[ed] themselves duty-bound as heirs to Confederate heritage," went to great lengths to protect and promote the Confederate battle flag as an honorable symbol of not just their Confederate heritage, but also of the Confederate heritage of their many constituents—and of the state itself.¹⁷⁷ Their efforts extended beyond debates in the legislative chambers and included a statewide "educational" ad campaign and personal "heritage" tours.

The state's heritage defense was founded on two principle arguments. The first was the assertion that, for the state's part in starting the Civil War, South Carolina has more than atoned for its sins in the losses suffered as a result. The state's Confederate battle flag is foremost a memorial to the many soldiers and civilians who suffered and sacrificed, as well as a permanent reminder of the enormous price the state has paid.¹⁷⁸ The second argument was that the South Carolina Confederate battle flag was excepted from the controversies over the "racist" and defiant meanings of the flag for its role in southern resistance to civil rights because of South Carolina's comparatively peaceful transition through the era.

First, it is true that by many standards, South Carolina suffered the most losses of any southern state by the end of the Civil War. Stories of loss have been passed down through many generations of South Carolina families. State historian Walter Edgar

¹⁷⁷ Prince, *Rally*, 146.

¹⁷⁸ *Ibid.*, 151.

estimates that as many as 60,000 South Carolinians fought for the Confederacy over the course of the war, and South Carolina units participated in nearly every major battle, including Lee's surrender at Appomattox.¹⁷⁹ In turn, South Carolinians also paid an enormous price for their devotion. Between 18,666 and 21,146 South Carolina soldiers died serving in the Civil War.¹⁸⁰ This means that South Carolina lost more than one-third of the state's white male population of service age—the highest percentage of any state.¹⁸¹ “While one in every nineteen white Southerners died in the Civil War, one in every fourteen or fifteen white South Carolinians were killed,” Edgar writes.¹⁸² Overall, South Carolina suffered more than 23,000 wartime casualties, military and civilian.¹⁸³

In addition to the painful loss of life in war, South Carolina suffered tremendous infrastructure and property losses. South Carolina paid for its lead in the southern secession, as the state became a symbol of rebellion to Union troops. According to James McPherson, “Northerners considered South Carolina the cockpit of secession, the home of the hottest fire-eaters, the state that started the war by firing on the American flag at Fort Sumter.”¹⁸⁴ Evidence of this mentality is especially apparent in the path of destruction Sherman's troops left through the state. “The truth is, the whole army is burning with an insatiable desire to wreak vengeance on South Carolina. I almost tremble for her fate, but feel that she deserves all that seems in store for her,” Sherman penned as he prepared to enter the state.¹⁸⁵

¹⁷⁹ Edgar, *South Carolina*, 358, 360.

¹⁸⁰ *Ibid.*, 375.

¹⁸¹ *Ibid.*

¹⁸² *Ibid.*

¹⁸³ Bass and Poole, *The Palmetto State*, 52.

¹⁸⁴ James M. McPherson, *The Mighty Scourge: Perspectives on the Civil War* (Oxford: Oxford University Press, 2007), 128.

¹⁸⁵ *Ibid.*

At the end of the war, major portions of Charleston, Columbia, and twenty-one other towns were totally decimated. The state lay in economic ruin, and land values plummeted. South Carolina suffered greater losses than any other southern state in terms of livestock killed or taken in war.¹⁸⁶ The “merciless” destruction of South Carolina remains especially poignant in the minds of many South Carolinians who had ancestors in the state during the war and informs their view of the Confederate battle flag. In one of his many passionate defenses of the flag, Senator Glenn McConnell, recounted, “The federal government did to this state what it’s never done to a foreign power. It made war on an innocent civilian population.... And, of course, when Sherman’s men came through South Carolina, they did so with a vengeance. Killed people’s pets! I mean, the stories are just awful.”¹⁸⁷

The argument regarding South Carolina’s peaceful transition during the civil rights movement is equally valid, to an extent. As fabled segregationists George Wallace, Ross Barnett, and Lester Maddox soared to office in Alabama, Mississippi, and Georgia, respectively, in the 1960s, South Carolina’s leadership passed to a strong line of industry-minded moderates by the early 1960s. With economic development their primary goal, these leaders recognized, “All the talk about massive resistance and interposition and acts of random violence were not good for the state’s image. Nor were the photographs and television shots of sit-ins and street protests.”¹⁸⁸ Therefore, as bloody violence erupted elsewhere in the South, South Carolina’s leaders began to quietly dismantle Jim Crow.¹⁸⁹

¹⁸⁶ Edgar, *South Carolina*, 374.

¹⁸⁷ Prince, *Rally*, 151.

¹⁸⁸ Edgar, *South Carolina*, 537.

¹⁸⁹ *Ibid.*, 540.

While both arguments are technically historically valid, they also present a very selective rendering of South Carolina history. Of their many complications, the biggest omission, by far, is the powerful role race has played in driving and shaping the state's complex history.

First, while a heritage defense typically relies on the ability to minimize slavery's significance as a catalyst in bringing about war, this is an especially difficult feat in South Carolina.¹⁹⁰ By 1860, the year South Carolina seceded from the Union, slavery was crucial to every county in the state, and almost half of all white families owned slaves, nearly twice the rate of the South as a whole.¹⁹¹ Slavery and the plantation system were absolutely central to South Carolina's labor-intensive "King Cotton" economy. South Carolina's willingness to fight for this institution thus was established long before secession and was the basis for a majority of the state's confrontations with the federal government throughout the 1840s and 1850s.¹⁹² The delegates to the South Carolina Secession Convention left no doubt that slavery was the immediate cause of session when they voted a resounding 169-0 in favor of seceding and went on to mention "slavery" or "slaveholding" no fewer than eighteen times in their "Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union."¹⁹³

The slavery issue aside, the heritage argument of atonement through loss is complicated by how the state's great sense of loss directly fueled the white insurgency that exploded across the state immediately after the Civil War. The insurgency began as guerilla

¹⁹⁰ Prince, *Rally*, 71.

¹⁹¹ Bass and Poole, *The Palmetto State*, 42.

¹⁹² Ibid., 40-41; Edgar, "South Carolina," 93.

¹⁹³ Prince, *Rally*, 74.

units of broken Confederate regiments sought to reestablish white supremacy by terrorizing the state's black population exercising their freedoms granted under the Reconstruction Acts.¹⁹⁴ During the 1870s, these guerilla units gave way to more organized white terror organizations, specifically the Ku Klux Klan and Redshirts, who used violence, intimidation, and fraud to overthrow the Reconstruction era government in South Carolina.¹⁹⁵ The violence during this period was so rampant that nine South Carolina counties were declared in rebellion under President Grant's KKK Act, and South Carolina is considered the longest battle of Reconstruction.¹⁹⁶ Reconstruction ended with the withdrawal of federal troops in 1877. By the turn of the century, South Carolina, under the leadership of former insurrectionist Ben Tillman, had established a brutal and oppressive system of Jim Crow. As a result of oppressive conditions, as well as racial violence advocated by South Carolina's political elite, South Carolina lost between ten and thirty percent of its black population to out-migration in every decade of the first half of the twentieth century.¹⁹⁷

Unfurling the Flags

A closer examination of exactly how each Confederate battle flag appeared in its respective position of sovereignty likewise contributes to an understanding of the length and dynamics of the Confederate flag debate in South Carolina. Unlike the Confederate

¹⁹⁴ Bass and Poole, *The Palmetto State*, 53.

¹⁹⁵ Ibid., 58; Prince, *Rally*, 21.

¹⁹⁶ Edgar, "South Carolina," 87.

¹⁹⁷ Bass and Poole, *The Palmetto State*, 78.

battle emblems at issue in Alabama, Georgia, and Mississippi, the three Confederate flags displayed at the South Carolina State House until 2000 were installed decades apart and were not accompanied by any explicit acts or statements of defiance. The successfully neutral pretext in which each flag was raised was a key line of defense for flag supporters who argued that South Carolina's Confederate flags were purely historical and exempt from the challenges facing other banners. However, a closer examination of the context surrounding each flag's appearance clearly reveals more defiant motives.

In 1938, the South Carolina legislature passed a measure to install the Confederate battle flag—along with the U.S. and South Carolina flags—behind the Speaker's desk in the House of Representatives, the visual focal point of the room.¹⁹⁸ The legislation, introduced by Union County representative John D. Long, was straightforward. It simply called on the clerk of the House to secure a federal flag, a state flag, and the "battle flag of the Southern Confederacy" for display in the House chambers.¹⁹⁹ While, as Prince notes, "Nothing in the resolution spoke of defiance against national policies or federal interference; [and] nowhere does it mention segregation," the timing of the legislation suggests otherwise, as would become a pattern for each the Confederate battle flags displayed at the South Carolina State House.²⁰⁰ Representative Long introduced the resolution to install the Confederate battle flag on March 2, 1938.²⁰¹ The week before Long's initiative, Southern Democrats celebrated the end of a record-breaking filibuster that successfully blocked federal anti-lynching legislation in Congress.²⁰² The timing of the resolution also coincided

¹⁹⁸ Watts, *Contemporary Southern Identity*, 89.

¹⁹⁹ Prince, *Rally*, 29.

²⁰⁰ Ibid.

²⁰¹ Watts, *Contemporary Southern Identity*, 90

²⁰² Brown, *Civil War Canon*, 206.

with a fierce backlash to the Roosevelt administration, in response to President Franklin Roosevelt's attempt to purge Tillman-era politician "Cotton Ed" Smith from office by openly backing Smith's challenger in the 1938 election year.²⁰³

Two decades later, Long, in his first term as state senator, sponsored a similar initiative to add the Confederate battle flag to the U.S. and Palmetto flags already displayed in the Senate chamber. The resolution, which Long introduced on the last day of the 1956 legislative session, described the Confederate battle flag as representing "the divine cause of human freedom" that "inspires our dedication to the resurrection of truth with glorious and eternal vindication."²⁰⁴ According to the 1956 legislative record, "On immediate consideration, the Resolution was adopted."²⁰⁵

Like the 1938 initiative in the House, Long's 1956 resolution was straightforward and never mentioned or alluded to national policies, federal interference, or segregation. However, the resolution marked the end of the 1956 "Segregation Session," which one local journalist described as "dominated by one note—maintain at all costs segregation in the public schools of South Carolina."²⁰⁶ The resolution also passed the very same day that Columbia's *The State* newspaper featured a front-page story on President Eisenhower's proposal to create a federal civil rights commission.²⁰⁷

The exact date of the Confederate battle flag's first installment above the South Carolina State House has been a source of contention in recent debates. The general consensus among historians, and verified by newspaper accounts, is that the Confederate

²⁰³ Watts, *Contemporary Southern Identity*, 90; Prince, *Rally*, 29;

²⁰⁴ Prince, *Rally*, 32.

²⁰⁵ Ibid.

²⁰⁶ Brown, *Civil War Canon*, 207.

²⁰⁷ Prince, *Rally*, 32.

battle flag was first raised above the South Carolina State House on April 11, 1961, at the “request” of Representative John “Mr. Confederate” May, Chairman of the South Carolina Confederate War Centennial Commission.²⁰⁸ An April 8, 1961 article in *The State* reported, “[T]he Confederate flag will fly along with the United States flag and state flag from one of the three flag poles on the roof of the State House ... at the request of Aiken Rep. John May ... in observance of the centennial activities being held in Charleston” the following week.²⁰⁹ As the article notes, at the time, the U.S. and Palmetto flags flew from a lower part of the building because the ladder to the dome had been declared unsafe several years earlier. Therefore, while the Confederate flag was raised “above” the state capitol in 1961, the battle flag technically did not ascend to the top of the State House dome until March 1962, when the General Assembly passed a concurrent resolution, introduced by John May, to add the Confederate battle flag to the recently restored pole on top of the dome.²¹⁰

The date matters because of what it reveals about the state’s motivations at the time. The 1962 resolution officially installing the Confederate battle flag on the flagpole above the State House dome is, like the others, short and simple. It is the context of 1961 that positions the Confederate battle flag’s emergence above the State House at the culmination of months of “open and ugly feuding” that was in itself revealing of the sentiments and struggles of the time.²¹¹

First, South Carolina and the national centennial commission feuded over the name of the South Carolina commission, which reflected persisting sectional tensions over how to

²⁰⁸ Prince, *Rally*, 39; Brown, *Civil War Canon*, 209; Watts, *Contemporary Southern Identity*, 91.

²⁰⁹ “The ‘Stars and Bars’ Fly Again,” *The State*, April 6, 1961.

²¹⁰ Brown, *Civil War Canon*, 210.

²¹¹ Brett Bursey, “The Day the Flag Went Up,” *POINT* 10.97 (Fall 1999): 4

define the war.²¹² While most states in naming their centennial organizations chose to remain consistent with the national “*Civil War Centennial Commission*,” the South Carolina General Assembly created the South Carolina commission as the “South Carolina *War Between the States Centennial Commission*.”²¹³ Shortly thereafter, the South Carolina commission began referring to itself as the “South Carolina *Confederate Centennial Commission*,” printing its own stationary with a letterhead to that effect. By late 1960, the organization had become the “South Carolina *Confederate War Centennial Commission*,” as preparations for the centennial events gained momentum. Tensions only grew in the name game between the state and national committee, as the national committee refused to address the state organization as anything but the “South Carolina *Civil War Centennial Commission*,” and at some point before the start of the centennial, the Confederate War Commission added a Southern Cross flag to its letterhead.²¹⁴

The national commission and the state commission also fought over the official start of the Centennial. South Carolina wanted the opening ceremonies moved to December 20, 1960, in commemoration of the hundredth anniversary of the state’s signing of the Ordinance of Secession. “Placing the start of the conflict in December 1860 rather than in January or April 1861,” Prince explains, “accorded better with the southern view that the Civil War was a fight over constitutional principles, such a states’ rights, rather than a mere rebellion against federal authority.”²¹⁵ The national commission, however, designated the

²¹² Prince, *Rally*, 35.

²¹³ *Ibid.*, 34.

²¹⁴ *Ibid.*, 34-35.

²¹⁵ *Ibid.*, 36.

January 9, 1861, the firing on the “Star of the West” by South Carolina’s Citadel cadets—considered the first hostilities of the war—as the official start of the observances.²¹⁶

While the frequent clashes in the months leading up to the Centennial certainly created sectional friction for its start, the decisive feuding between the South Carolina Confederate War Centennial Commission and the National Civil War Centennial Commission occurred after the national commission selected Charleston to host its fourth national assembly to coincide with the April 11-12, 1861 Battle of Fort Sumter.²¹⁷ The South Carolina commission chose the racially segregated Francis Marion Hotel in downtown Charleston to host the convention. The segregated venue choice—as the location for both the meetings and accommodations—effectively barred black members of the New Jersey and Missouri delegations from attending and participating in the national convention.²¹⁸ After New Jersey protested and threatened to boycott the Centennial, President John F. Kennedy set off the ensuing “civil war” when he intervened by asking South Carolina to put aside its segregation practices for the duration of the ceremony.²¹⁹

Representative May, in his capacity as Chairman of the South Carolina commission, responded emphatically to Kennedy’s request by vehemently defending the state’s Jim Crow policy and refused to move the convention from the Francis Marion.²²⁰ Shortly after, Kennedy issued an executive order moving the federally sponsored meeting to the Charleston Naval Base, one of the few integrated facilities in Charleston.²²¹ The Southern delegations, led by South Carolina, “seceded” from the national assembly, staying behind at

²¹⁶ Bob McHugh, “100 Years Ago: The First Shot and the War Begins,” *The State*, January 8, 1961.

²¹⁷ Brown, *Civil War Canon*, 209; Prince, *Rally*, 39.

²¹⁸ Brett Bursey, “The Day the Flag Went Up,” *POINT* 10.97 (Fall 1999): 4.

²¹⁹ Prince, *Rally*, 39.

²²⁰ Brown, *Civil War Canon*, 209.

²²¹ *Ibid.*; Bursey, “The Day”; Prince, *Rally*, 39.

the Francis Marion to carry on with their events for the now “Confederate States Centennial Conference.”²²²

The night before the national centennial conference was set to begin with a reenactment of the firing upon Fort Sumter, May supplied a battle flag to several fellow legislators from Charleston, who snuck into the fort and raised the Confederate battle flag, just in time for the exact anniversary of first Confederate shots at 4:30 a.m. on April 12.²²³ Described the next day as the “second battle of Fort Sumter,” the Civil War centennial convention opened as a completely divided event, with dual headquarters and dual programs.²²⁴ It is against this backdrop—not the official start of the Centennial or any time before that—that the Confederate battle flag ascended to the top of the South Carolina State House, “in observance of” the Civil War centennial—for the next thirty-nine years.

Significantly, Representative May’s 1962 resolution on behalf of the Centennial Commission, which provided for the formal addition of the Confederate battle flag to the restored pole atop the State House dome and passed an all-white General Assembly unopposed, failed to provide a date for the flag’s removal after the Centennial.²²⁵ In December 1999, after more than a decade of protests in South Carolina, fifty-one of sixty-seven surviving members of the 1962 General Assembly, along with former governors West and McNair, gathered at the State House to present a petition asking that the Confederate flag be moved from the dome to a “place of honor.”²²⁶ The statement by the former lawmakers described the flag as being placed on the dome during a phase of “pride

²²² Billy Williams, “Port City Primed for Dual Event at Fort Sumter,” *The State*, April 11, 1961.

²²³ Brown, *Civil War Canon*, 209; Bursey, “The Day.”

²²⁴ Billy Williams, “Port City Primed for Dual Event at Fort Sumter.”

²²⁵ Nina Brook, “The controversy nobody noticed- Confederate flag rose quietly over 1962’s State House dome,” *The State*, October 20, 1993.

²²⁶ Joseph S. Stroud, “Fix ‘oversight’ by furling flag, ‘62 legislators say,” *The State*, December 8, 1999.

and euphoria throughout [the] state...as part of the Civil War commemorative activities,” adding that they intended for the flag to come down at the conclusion of the Centennial in 1965.²²⁷ “Through mere oversight and omission, our resolution regarding the flag did not state when it should come down. We are here today pleading guilty to that omission,” one of the former legislators stated.²²⁸

Modern Political Culture

“South Carolina’s politics ran on two tracks—but those tracks often ran parallel to one another. There was certainly a progressive element present in the state, though most of its effort was directed at improving the lives of the state’s white, not its black, citizens. But the mainline of state politics throughout much of the twentieth century was forged from race-based populism,” Prince writes.²²⁹ These two lines of South Carolina politics—the Tillman era and the progressive era—are still very much alive in their influence in the state, and their history as well as their continued influence have significantly shaped the state’s Confederate flag debates.

The foundations of South Carolina’s modern political culture take root in the worldwide agricultural crisis of the 1880s that caused South Carolina’s poorest farmers, black and white, to lose their land at an alarming rate and fall into tenantry and sharecropping.²³⁰ At this time, white supremacy had not been fully re-established in South

²²⁷ Prince, *Rally*, 209.

²²⁸ Stroud, “Fix ‘oversight.’”

²²⁹ Prince, *Rally*, 25.

²³⁰ Bass and Poole, *The Palmetto State*, 62.

Carolina due to the gradual approach of the “Bourbon rule,” during which South Carolina’s antebellum elite returned to power.²³¹ The impetus for the ensuing race-based populist movement, which “hurled the Bourbons out of office,” consequently arose from a fear that poor white farmers, dissatisfied with the planter elite’s ineffectual response to the crisis, could begin to see black laborers as political allies rather than potential insurrectionaries.²³² The forceful movement was led by “Pitchfork Ben” Tillman, a one-eyed farmer from Edgefield, who used his leadership of the Edgefield Redshirts to jumpstart his political career in the late 1880s. While Tillman himself was not poor, he manipulated the poor by preaching and instilling a sociopolitical ideology built on twin themes of class envy and white supremacy.²³³ Tillman also looked the part: “Volatile, uncouth, missing an eye, and clad in unfashionable clothes, Tillman was easily seen as the embodiment of the Southern ‘poor white,’ a man with hatred for ‘the negro’ flowing in his veins.”²³⁴ Tillman earned his nickname “Pitchfork Ben” after a stump speech in which he called Grover Cleveland, his own party’s presidential nominee, a “bag of beef” and vowed to go to Washington and “stick a pitchfork in him.”²³⁵

The Tillman takeover initiated the “Tillman era” of politics in the state, which deeply influenced “South Carolina style” politics through the first half of the twentieth century.²³⁶ Tillman and his counterparts, like Ellison D. “Cotton Ed” Smith, James F. Byrnes, and Cole Blease, employed the basest form of “race-baiting” politics, which successfully pitted South

²³¹ Ibid., 60.

²³² Stephen Kantrowitz, *Ben Tillman and the Reconstruction of White Supremacy* (Chapel Hill: The University of North Carolina Press, 2000), 51.

²³³ Bass and Poole, *The Palmetto State*, 65.

²³⁴ Kantrowitz, *Ben Tillman*, 8-9.

²³⁵ Edgar, “South Carolina,” 88.

²³⁶ Ibid.; Prince, *Rally*, 25.

Carolina's growing class of poor whites against the state's black population and thereby ensured the safety of white supremacy in the state once again.²³⁷ They also brutally codified Jim Crow into the state's laws and social order and openly promoted lynching as the most effective tool for maintaining social control.²³⁸ Tillman, who styled himself as the "Champion of White Men's Rule and Women's Virtue," boasted that he would "willingly lead a mob in lynching a negro who committed an assault upon a white woman."²³⁹ As a result of Tillman's success in South Carolina, "[r]acebaiting became the tried-and-true method of maintaining political office, of solidifying, seducing, or silencing any white opposition, and, not incidentally, cowing the black population" and effectively established the Solid South for the Southern Democratic party.²⁴⁰

Though the politics of the mid-twentieth century eventually directed a move away from the most virulent race-baiting and promotion of racial violence, Tillman era influence in South Carolina remained strong and intact through race-based party politics, even after the eventual dismantling of the Solid South. This modern influence of Tillman's race-based politics can be credited to former South Carolina governor and longest-serving U.S. Senator, Strom Thurmond. Thurmond carried the Tillman influence with him from the Democratic party, briefly to the Dixiecrats, and ultimately to the Republican party, where it manifest itself in the race-based Republican "southern strategy," "which in more muted form would continue to influence the GOP image into the twenty-first century in South Carolina."²⁴¹

²³⁷ Goldfield, *Still Fighting*, 198; Bass and Poole, *The Palmetto State*, 65.

²³⁸ Ibid.; Prince, *Rally*, 99.

²³⁹ Goldfield, *Still Fighting*, 196.

²⁴⁰ Goldfield, *Still Fighting*, 198.

²⁴¹ Bass and Poole, *The Palmetto State*, 114.

The end of the Solid South and the pressing need for economic revival gave rise to the second defining era of modern South Carolina politics in the 1960s—a surprisingly progressive era in which the state glided through integration and the civil rights movement sans the direct confrontation and extreme violence that erupted in other southern states.²⁴² This was accomplished by a generation of moderate, practical-minded Democrats, namely Ernest “Fritz” Hollings, Robert McNair, and John West, who recognized that avoiding conflict was crucial to reviving the state’s economy and attracting industrial development.²⁴³

The progressive turn in South Carolina politics was initiated by South Carolina governor Fritz Hollings, who entered office in January 1959. Though Hollings ran as a segregationist, out of what he believed was political necessity, once in office, Hollings showed he was much “more concerned about the state’s economic progress and prosperity than defending it from agents of the civil rights movement or maintaining the integrity of the color line.”²⁴⁴ At the time, South Carolina was suffering heavily from the decline of its former agriculture and later textile dependent economy. Hollings developed an economic vision for transforming South Carolina into a modern, diversified, and cosmopolitan state by actively luring outside capital, especially international industrial capital, to invest in the state.²⁴⁵ Hollings’ vision and action plan was supported by different communities, state agencies, universities, and civic organizations through generous funding and cooperation

²⁴² Ibid., 86; Edgar, “South Carolina,” 92; Prince, *Rally*, 100.

²⁴³ Bass and Poole, *The Palmetto State*, 111-112.

²⁴⁴ Ibid., 111

²⁴⁵ Ibid.

“unforeseen in the state and rare in the entire nation.” This foreshadowed the increasingly dominant role businesses would have in South Carolina politics.

After witnessing the direct connection between a violent, racist image and loss of industry in places like Arkansas, Hollings, at the nudging of the business community, set about preparing the state for integration.²⁴⁶ Hollings’ crowning achievement in this respect was his leadership in the peaceful integration of South Carolina’s public colleges, beginning with Clemson in January 1963. The integration of Clemson stood in such sharp contrast to the chaos and violence in other states that it inspired a *Washington Post* article entitled “Integration with Dignity.” Within two years, all of the state’s public colleges and twelve of twenty-five private colleges agreed to integrate.²⁴⁷

The peaceful integration of South Carolina’s public colleges effectively marked the end of South Carolina’s period of “massive resistance,” as pledged by the 1956 General Assembly.²⁴⁸ However, the way, or the reason, integration occurred as it did in South Carolina during the 1960s holds far greater implications for contemporary race relations in the state. Integration in South Carolina was not motivated by any great social or cultural awakening but by a belief that accommodation to social change without violence was fundamental to attracting outside capital to invest in the state.²⁴⁹ This created a “carefully crafted, fragile, racial peace,” that has threatened to come unraveled at many points in the decades since.²⁵⁰ It also established a pattern of accommodation and expediency when dealing with race relations that had—until recently—effectively obscured racial conflict in

²⁴⁶ Edgar, *South Carolina*, 537-38.

²⁴⁷ *Ibid.*, 539.

²⁴⁸ Bass and Poole, *The Palmetto State*, 110

²⁴⁹ *Ibid.*, 111.

²⁵⁰ Edgar, *South Carolina*, 542.

the state and allowed South Carolina's leadership to avoid addressing persisting legacies of racism and violence, such as those remaining from the Tillman era of South Carolina politics.

CHAPTER FOUR

S.C. LEGISLATIVE DEBATE, 1994-2000

For nearly thirty years, the Confederate battle flag flew virtually uncontested over the South Carolina State House dome, even as Confederate flags elsewhere around the South were under full siege. Only when the flag became perceived as an economic threat, did the forces start mobilizing. The ensuing conflict in the South Carolina state legislature, the sole body authorized to move the flag, lasted through three distinct rounds of intense debate, deeply divided the state's political leaders and general public, and attracted the national media spotlight for nearly a decade. In addition to the high-drama of the legislative showdown, a number of "highly embarrassing" racial incidents framed each round of debate in the State House, which highlighted the persistence of violent racism in South Carolina and visually linked this racial climate to the state's Confederate battle flag. Ultimately, it was the threat this posed for South Carolina's businesses and tourism industry that finally mobilized the legislature to move the Confederate battle flag—nearly ten years later. This was an expedient response that resulted in a badly crafted law.

Late to the Debate

The Southeast Region NAACP's 1987 resolution targeting the state-sanctioned display of Confederate battle emblems in South Carolina, Alabama, Georgia, and Mississippi ignited intense debates about the meaning of and appropriate place for Confederate flags and symbols across the South. In South Carolina, influential members from the state's religious community were among the first to join a growing chorus calling for an end to the Confederate flag's display on the State House dome. However, within the South Carolina General Assembly, the sole body authorized to move the flag, these calls were generally rejected "with a mixture of irritated bemusement or dismissive amusement."²⁵¹ While satisfaction with the status quo was typical of the South Carolina "good ol' boy" mindset, it also reflected the attitude of the majority of their constituents. A 1987 public opinion poll commissioned by *The State* newspaper reported that seventy-five percent of South Carolinians polled opposed removing the Confederate battle flag from the State House dome.²⁵² As a result, political expediency set in early, preventing any timely resolution to the Confederate flag controversy in the state.²⁵³

Among state representatives who would later support removing the Confederate flag, many absolved themselves of having to take an early stance on the issue by framing it as an "either-or" dilemma between implementing and funding social programs or challenging a "symbol." Then-Democratic House Speaker Robert Sheheen, for example,

²⁵¹ Prince, *Rally*, 130.

²⁵² Cindi Ross, "SC back AIDS test, poll says- Voters give opinions on issues facing the state," *The State*, December 27, 1987.

²⁵³ Prince, *Rally*, 140.

reasoned, “If I had a choice between implementing programs to help black people and not removing the flag or removing the flag and not implementing programs, I would leave the flag and enact the programs.”²⁵⁴ Even old warhorses like Robert Ford and Kay Patterson, part of the first generation of black state representatives who took on the Confederate flag controversy when they gained office during the mid-1970s, were reluctant to enter such inevitably hostile territory again. Senator Kay Patterson, who recalled receiving bushels of hate mail for his early legislative actions against the Confederate flag when he served in the House, resigned, “I’ve come to believe in a smoke-filled room.”²⁵⁵ These combat veterans expressed their support for bringing down the flag, but they also indicated that a new generation of leadership would likely have to pick up the fight to accomplish the task.

However, while Confederate flag displays in Alabama, Georgia, and elsewhere in the South were the subject of intense debate, South Carolina’s lawmakers appeared largely unfazed, as economic development became South Carolina’s top priority and policy focus in the early 1990s. For the first time in the late-1980s, South Carolina fell from the leaderboard in the game of international recruitment. South Carolina economic officials recognized the threat that this drop posed to the state’s historically leading international recruitment efforts, since the competition between the states for foreign investment had been recently likened to a new Civil War, “fought with incentives, not bullets...waged over taxes, not territory.”²⁵⁶ Therefore, when the 1990s opened amidst a nationwide recession and rising concerns about the “deindustrialization of America,” South Carolina’s political

²⁵⁴ Bill Higgins, “Methodist Bishop Favors Removing Confederate Flag from State House,” *The State*, July 6, 1989.

²⁵⁵ Clark Surratt, “Lessons learned- Kay Patterson says he’s matured while in office,” *The State*, December 9, 1988.

²⁵⁶ Marko Maunula, *Guten Tag, Y’all: Globalization and the South Carolina Piedmont, 1950-2000* (Athens: University of Georgia Press, 2009), 97.

leaders and economic officials redoubled their commitment to international recruitment.²⁵⁷ South Carolina's renewed efforts paid off in 1992 when BMW selected Spartanburg as the site for their first North American factory. BMW was projected to invest about \$600 million, create 2000 to 3000 new jobs, and attract a large number of supporting industries to the area.²⁵⁸

Hoping that other major corporations would follow BMW's lead, industrial recruitment and economic remained almost the sole policy focus in the state, even after the Alabama flag debate concluded in January 1993 and all eyes turned to South Carolina in anticipation. Representative Joe Brown, chair of the Legislative Black Caucus, for example, when asked about any intention to address the battle flag in the 1993 session, responded bluntly, "[T]he Caucus is more concerned with creating job and business opportunities."²⁵⁹ Likewise, South Carolina governor Carroll Campbell fended off critics of his lack of initiative on the flag issue by insisting, "Jobs solve about 95 percent of the problems."²⁶⁰ Ironically, less than six months later, in early fall 1993, concerns over industrial recruiting and economic development would finally bring the Confederate flag debate to South Carolina.

²⁵⁷ Douglas P. Woodward and Paulo Guimaraes, "BMW in South Carolina: The Economic Impact of a Leading Sustainable Enterprise," Moore School of Business at the University of South Carolina, September 2008.

²⁵⁸ Maunula, *Guten Tag, Y'all*, 112.

²⁵⁹ "Flag no issue in Carolina," *The Associated Press*, January 17, 1993.

²⁶⁰ Prince, *Rally*, 153.

Battle Lines Drawn, Fall 1993

In September 1993, South Carolina was among three finalists competing for a new \$300-million dollar Mercedes-Benz plant, which had a projected economic impact of \$7.3 billion dollars and 10,000 new jobs over twenty years.²⁶¹ Disappointment and concern set in when the company selected Alabama for its site instead. After the selection, Alabama's top industrial recruiter strongly suggested that Alabama's decision to lower the Confederate flag played a pivotal part in the final decision process and helped quell the German automaker's concerns about the state's troubled racial history.²⁶² For some in South Carolina, the lesson was clear: the economic expediency of flag removal bought a win for Alabama.

Freshman senator and Black Caucus member Darrell Jackson, part of a new generation of black leadership in the State House, recognized the opportunity the link between economics and the Confederate flag presented and used it as leverage in lobbying South Carolina's influential business community to become more actively involved in pressuring for the flag's removal.²⁶³ While Jackson succeeded in courting the support of South Carolina's Common Cause, a self-styled citizen's lobby, others, including the City of Columbia and the Columbia Chamber of Commerce, remained more hesitant. Columbia mayor Bob Coble, however, seemed to suggest it was only a matter of time before others joined the cause. "We have to look at whether there is any economic impact for the city and

²⁶¹ Jerry Underwood, "Mercedes: a gamble, but payoff is huge," *Birmingham News*, December 26, 1993.

²⁶² Tom Lindley, "Removing Confederate flag helped get Mercedes," *Birmingham News*, October 1, 1993; Nina Brook, "Removing flag lifted Alabama, officials say," *The State*, October 2, 1993.

²⁶³ Gary Karr, "New strategy eyed for removing battle flag from State House," *Charlotte Observer*, October 7, 1993.

for the state,” Coble said. “And if the answer is yes, is there some positive role that we could play? ... We simply don't want to be left as the only state to be flying the flag if that has a negative connotation to potential investment.”²⁶⁴

Jackson also requested an opinion from South Carolina Attorney General Travis Medlock hoping a loophole or old law might demand the flag's removal, as a court found in Alabama.²⁶⁵ While the attorney general found no law prohibiting the flag's display on the dome, he also determined that there was “no binding legal authority to fly the Confederate flag on the State House dome,” since its permanency was never provided for by law.²⁶⁶ Most significantly, Medlock concluded that the State House Committee, the ten-member body within the General Assembly charged with overseeing maintenance and decorative displays at the State House, “not only possesses the legal authority to retire the flag, but in the absence of any affirmative authority to the contrary, that committee should do so.”²⁶⁷ The committee, however, immediately deferred the issue to the General Assembly, practically ensuring a lengthy debate in South Carolina.

As it became clear that South Carolina General Assembly inevitably would have to debate the Confederate battle flag, pro-flag forces began preparing their defenses in anticipation of a strong anti-flag push in the 1994 legislative session. One of the most outspoken flag supporters, Republican senator Glenn McConnell, who also made a living selling Confederate trinkets from his “heritage shop,” criticized Mercedes' choice of Alabama for its site. “I don't think the conditions for this state should be that we're for sale,

²⁶⁴ Nina Brook, “Flag compromise support grows,” *The State*, October 16, 1993.

²⁶⁵ Nina Brook, “Medlock: panel can take down Rebel flag,” *The State*, October 19, 1993.

²⁶⁶ *Ibid.*

²⁶⁷ Prince, *Rally*, 143; Brook, “Medlock.”

that we'll turn our back on our ancestors, turn our back on our heritage to please someone who wants to come in with a plant. Our heritage is not for sale," McConnell stated.²⁶⁸ McConnell and other pro-flag legislators worked to build a "Save the Flag" coalition between lawmakers and heritage groups. Senators McConnell and John Courson raised money for an advertising campaign, aimed to promote Confederate history.²⁶⁹ The senators intended to press the message that the flag was about Southern heritage, not racism, and distance themselves from groups that use the Confederate flag to promote racism. They also drafted a bill to prohibit the removal of the Confederate flag under state law.

With this preparation from both sides in anticipation of the next legislative session, the battle lines were firmly drawn in South Carolina.

Round One, 1994-1995

By many accounts, 1994 is regarded as the "year that almost was." Within a matter of weeks, the flag issue transformed from being the "proverbial political hot potato" topping the legislative agenda.

The change in momentum occurred with a month left in session, when the NAACP, joining a local group of black ministers, "served notice" of their intentions to boycott the state, should the legislature not act on the flag quickly. Purposely meeting in view of the Confederate flag, the NAACP developed an action plan that included an economic boycott of the state, organizing statewide marches, filing lawsuits, and essentially employing any

²⁶⁸ Nina Brook, "Removing flag lifted Alabama, officials say," *The State*, October 2, 1993.

²⁶⁹ Nina Brook, "2 senators lead pro-flag ad charge," *The State*, November 12, 1993.

means necessary to force action.²⁷⁰ The organization believed that a high-profile campaign could be especially effective in bringing necessary pressure and publicity to the issue, particularly with the state's hopes of gaining international attention from the 1996 Olympics in Atlanta at stake.²⁷¹ At the 16th Annual Freedom Fund Dinner, national board chairman Dr. William F. Gibson, a South Carolina native, and executive director Benjamin F. Chavis, Jr., announced intentions to target the state's tourism and industrial development on a national level. "We're talking about dealing with the tourism industry in South Carolina; we're talking about businesses that are considering any interest in investing in this state," said Gibson.²⁷² Chavis added, "We're drawing a line in the sand...The ball is in the court of the decision makers, who put the flag up there in the first place."²⁷³ Chavis also stressed that bringing down the flag was not a black issue but a moral and ethical issue.

The NAACP threats of economic sanctions also "strengthened the resolve of flag opponents and displayed to flag supporters the uncommitted price South Carolina would pay for its flag display."²⁷⁴ In doing so, the boycott effectively solidified the powerful support of the South Carolina business community, which released a public statement calling on the General Assembly to craft a final flag solution that would lower the battle flag from the dome but still pay tribute to Confederate memory.²⁷⁵ The Palmetto Business

²⁷⁰ Nina Brook, "A Clear View to the Controversy," *The State*, May 20, 1994.

²⁷¹ Jim Davenport and Dewanna Lofton, "NAACP puts heat on SC- National leader threatens sanctions over flag issue," *The State*, May 21, 1994; Prince, *Rally*, 162.

²⁷² Davenport and Lofton, "NAACP puts heat on SC."

²⁷³ John Allard, "Boycott threat raises concern across state," *The State*, May 22, 1994.

²⁷⁴ Woliver, Ledford, and Dolan, "Politics of Race and Citizenship," 709.

²⁷⁵ Paul Tosto, "Lower battle flag, business leaders say," *The State*, May 28, 1994.

Forum, comprised of executives of the state's major companies, emphasized that their foremost concern was with image and the best interest of the state, not personal politics.²⁷⁶

The pressure was successful in finally facilitating compromise discussion within the state legislature. After both the NAACP's announcement and the announcement from South Carolina's business community, a bipartisan group of legislators agreed to a closed-door meeting to pursue a possible compromise. The group included three white pro-flag legislators—McConnell, Courson, Smith—the most outspoken "heritage" defenders, Legislative Black Caucus chairman Representative Joe Brown, and six of the senate's seven black members.²⁷⁷ The result of this meeting was the 1994 Heritage Act, which the legislators presented to the state Senate in late May 1994, a week before the end of session.

The Heritage Act of 1994 stipulated the following in exchange for removing the Confederate battle flag from the State House dome: the installation of the square, white-bordered ANV flag beside the Confederate soldiers' monument in front of the State House; the addition of the Confederacy's First National flag, the "Stars and Bars," to the Confederate women's monument on the opposite side of the State House; the insertion of an official statement into state records specifying that the respective flags are not flown for racists reasons but to honor the South Carolinians who fought in the Civil War; the protection of the state's Confederate monuments from further removal efforts; and the construction of an African American heritage monument on State House grounds.²⁷⁸

²⁷⁶ Nina Brook and Fred Monk, "Business leaders pursuing battle-flag compromise; Lawsuits, boycott threat spur search for consensus," *The State*, May 27, 1994.

²⁷⁷ Nina Brook, "New plan might furl battle flag this year- closed-door meeting leads to compromise," *The State*, May 28, 1994.

²⁷⁸ Ibid.

Significantly, though the specifics of some of the terms changed, the 1994 Heritage Act provided almost the exact framework for the 2000 Heritage Act, passed six years later.

The concerted pressure from the South Carolina business community was pivotal in swaying senate Republicans, who originally were not amenable to compromise based solely on NAACP threats. The compromise legislation passed the Senate but met stubborn resistance in the House. After the House twice refused to even consider the bill, the 1994 Heritage Act ultimately was blocked by procedural moves. With tensions clearly high at the end of session and the defeat of the proposed Heritage Act, McConnell warned, “Now we’re on a collision course.”²⁷⁹

While the official legislation session ended in May 1994, the debate carried over into the summer and fall. Governor Campbell considered calling a special legislative session but could not assemble enough legislators.²⁸⁰ Some legislators went to work preparing to pre-file legislation for the next year. More business and community groups became involved, as the threat of boycott loomed large. Tourism officials, in particular, voiced increasing concern about the potential long-term impact of a boycott.²⁸¹ “How long does the stigma last?” Mike Carrier, Director of the Greater Columbia Convention and Visitors Bureau implored.²⁸²

Columbia Mayor Bob Coble and twenty-five other business and civic leaders from around the state, concerned that the flag was bringing negative publicity and attention to

²⁷⁹ Nina Brook, Lee Bandy, Cindy Ross Scoppe, “Lawmakers leave- battle flag stays, House sinks compromise as Assembly adjourns,” *The State*, June 3, 1994; Botsch, “Confederate Flag.”

²⁸⁰ Cindi Ross Scoppe, “Special Session Backers Are Few Assembly Reluctant To Resume Flag War,” *The State*, June 9, 1994

²⁸¹ Dewanna Lofton, “Boycott over flag to target tourism-loss of conventions would cost state millions of dollars,” *The State*, June 5, 1994.

²⁸² Ibid.

South Carolina, filed a lawsuit challenging the legal authority of the 1962 resolution that raised the flag. A resolution, they argued, does not carry the same force and permanency of law as a bill.²⁸³ While the NAACP proceeded with marches scheduled in Myrtle Beach and Hilton Head that summer, the organization agreed to delay economic sanctions pending the outcome of Coble's lawsuit—a major sigh of relief for businesses in the state.²⁸⁴

Despite the promising momentum that carried into the summer, the 1994 state Republican Party primary, held on August 9, delivered a fatal blow that foreclosed any hope for compromise in 1995. Earlier that summer, the party's executive committee voted unanimously to add a referendum question to the primary ballot asking, in yes or no form, "Should the Confederate flag be taken down from atop the State House?"²⁸⁵ Seventy-six percent of Republican voters favored the Confederate battle flag remaining on the State House dome, sending a clear message to party leaders concerning their constituents' stance on the flag.²⁸⁶ Fearing electoral repercussions, previous pro-flag Republican compromise backers, who had vowed to pre-file compromise legislation after the disappointment of the previous session, refused to resubmit the Heritage Act for consideration in the 1995 legislative session.²⁸⁷

Conservative backlash to the 1994 efforts were felt resoundingly in the 1995 session, as the protests, threats, and lawsuit only hardened flag supporters, now emboldened by Republican gains and the results of the referendum.²⁸⁸ The House took a

²⁸³ Prince, *Rally*, 167.

²⁸⁴ "Flag time line," *The Augusta Chronicle*, June 25, 2000; Woliver, Ledford, and Dolan, "Politics of Race and Citizenship," 723.

²⁸⁵ Lee Bandy, "Republicans call for issue referendum- flag, taxes to be primary questions," *The State*, June 14, 1994.

²⁸⁶ Prince, *Rally*, 170; Woliver, Ledford, and Dolan, "Politics of Race and Citizenship," 723.

²⁸⁷ Prince, *Rally*, 170.

²⁸⁸ Nina Brook, "Both sides dig in deeper," *The State*, April 5, 1995.

symbolic vote and decided not to revive the compromise. The senate attempted to revive the compromise, but it was doomed to failure without key Republican backers. Ultimately, the 1995 legislative session resulted in greater protection for the flag than ever before, as the General Assembly passed a bill that not only protected the Confederate flag's position on the dome during upcoming State House renovations but also granted the General Assembly sole authority to move the flag, eliminating the possibility for removal by executive or judicial order.²⁸⁹ Accordingly, Mayor Coble was forced to drop his lawsuit against the state when Governor David Beasley signed the bill into law in June 1995.²⁹⁰

Outside Pressures, 1994-1996

In early June 1995, the U.S. Commission on Civil Rights released a report detailing increased racial tensions and a worsening racial climate in South Carolina. The Chairman of the state advisory committee attributed this rise, at least in part, to the Confederate battle.²⁹¹ The report was an ominous sign for the state of race relations in South Carolina over the next few years, which further magnified the Confederate flag debate in the state.

The national media attention began with a particularly chilling case out of Union, South Carolina in the October 1994, when Susan Smith, a 23-year-old white secretary, took to national television to plea for America's help in finding her two small children.²⁹² Smith claimed a black man forced her out of her car at gunpoint and drove off with her two sons,

²⁸⁹ Nina Brook, "Battle flag wins House protection- Black Legislators' fight fails 82-30," *The State*, March 31, 1995.

²⁹⁰ Nina Brook, "High court dismisses Mayor's Confederate flag suit," *The State*, July 28, 1995.

²⁹¹ Jeff Miller, "Civil Rights Panel Says Racial Tension Increasing In S.C.," *The State*, June 03, 1995.

²⁹² Harrison Cahill, "Susan Smith: 20 years later, case still a shocker," *The State*, October 19, 2014.

14-month-old Alex and 3-year-old Michael, in the backseat.²⁹³ For over a week, police roused members of Union's black community from their homes to question them about the missing children. Smith confessed nine days later to strapping her children into their car seats and pushing her car into John D. Long Lake.²⁹⁴ Though the irony of the lake's name escaped most, the incident shed critical negative media attention on the state and foreshadowed a grim turn in the state's race relations that would lead directly into the second round of debate.²⁹⁵

In general, the mid-1990s were some of the most violent years in South Carolina's recent history, and a strong resurgence of the Ku Klux Klan was at the center of a chain of events that exposed the pervasive racism present in the state.²⁹⁶ In March 1996, the "Redneck Shop" opened in an old segregated movie theater in downtown Laurens, South Carolina. The store soon attracted national headlines, not only for its Confederate flag, white-pride, pro-southern, and anti-government merchandise, but also for its distinction as the "world's only Klan museum," which was proudly advertised on the old theater marquee out front.²⁹⁷ The store also doubled as an active Klan assembly hall.²⁹⁸

Later that summer, South Carolina led the nation in a recent wave of church burnings, prompting President Bill Clinton to speak in the state.²⁹⁹ Of at least seventy-two African American churches that were burned between 1990 and 1996, twenty-six, more than one-third, of those burnings occurred in South Carolina.³⁰⁰ Klan members in the

²⁹³ Ibid.

²⁹⁴ Ibid.

²⁹⁵ Dedersen, "Southern Discomfort;" Hitt, "Confederate Semiotics."

²⁹⁶ Ibid.; Harrison, "SC Governor;" Woliver, Ledford, and Dolan, "Race and Citizenship," 711.

²⁹⁷ Prince, *Rally*, 114.

²⁹⁸ Ibid.

²⁹⁹ Dedersen, "Southern Discomfort."

³⁰⁰ Woliver, Ledford, and Dolan, "Race and Citizenship," 711.

Midlands later confessed to igniting some of the fires and beating and stabbing African Americans at random.³⁰¹

The last in the long chain of framing events leading to the start of the second round of the 1990s flag debate occurred in late October, when two Klansmen, on their way home from a pro-flag rally at the State House, sprayed a Black nightclub with bullets, wounding three teenagers.³⁰²

The years between 1994 and 1996 were critical years for the South Carolina battle flag outside of the State House. The spike in racial tensions and violence in the state attracted an almost unwavering media spotlight, which directly linked the Confederate battle flag to South Carolina's now exposed prejudice and racism. This was a particular cause of concern for South Carolina businesses because of the negative national image the Confederate battle flag gave South Carolina. Expressing his frustration, Hunter Howard, president of the SC Chamber of Commerce told *Newsweek*, "Other places have church burnings, but the flag gives the world the impression that we condone those episodes."³⁰³ The national media played an increasingly influential role in the years that followed.

Round Two, 1996-1997

On November 26, 1996, in his first televised address since becoming governor in 1994, Republican Governor David Beasley formally endorsed reviving the 1994 Heritage

³⁰¹ Harrison, "SC Governor."

³⁰² Ibid.; Dedersen, "Southern Discomfort."

³⁰³ Dedersen, "Southern Discomfort."

Act and removing the Confederate battle flag from the South Carolina State House.³⁰⁴

Beasley, who pledged support for the flag during his 1994 campaign, told viewers that his change of heart came as a result of a religious experience, when, “burdened by the state's worsening racial climate and the potential for violence,” he awoke one morning at 3 a.m. to read the Bible and pray.³⁰⁵ Citing the recent increase in Klan activity in South Carolina, Beasley defended his decision, saying, “The Confederate flag is being torn asunder. Our proud heritage and the courage of those who came before are being dishonored. I respect it and them too much to allow the flag's misuse to continue.”³⁰⁶ Multiple networks broadcast Beasley's speech across the state while C-SPAN provided live coverage nationwide.³⁰⁷ Some networks chose not to air the two speeches that followed Beasley's, one by Attorney General Charlie Condon and the other by Senator Glenn McConnell, high-ranking members of Beasley's own party, who, to quote *The L.A. Times*, “said, in effect, that they'd rather spit on their grandfathers' graves than see the flag come down.”³⁰⁸

Beasley's reversal ignited a political firestorm in the state and especially caused deep fissures within the Republican Party.³⁰⁹ The governor's announcement confirmed rumors that had been circulating in newspapers for several weeks before, which Beasley said forced him to make his removal campaign public before he could marshal proper

³⁰⁴ Michael Sponhour, “‘Let's end this debate’- History, future demand relocation of battle flag, Governor tells citizens,” *The State*, November 27, 1996.

³⁰⁵ Botsch, “Confederate Flag;” Daniel Dedersen, “Southern Discomfort,” *Newsweek*, December 9, 1996; “SC governor seeks to remove rebel flag from Statehouse- Effort to rally support opens rift in GOP ranks,” *The Associated Press*, November 27, 1996; Eric Harrison, “SC Governor Wants to Lower Rebel Flag,” *The LA Times*, November 27, 1996.

³⁰⁶ Sponhour, “Let's end this debate.”

³⁰⁷ Ibid.

³⁰⁸ Harrison, “SC Governor.”

³⁰⁹ Lee Bandy, “Flag decision puts Beasley on spot,” *The State*, November 16, 1996.

support for the proposal.³¹⁰ Although all living ex-governors, including former Dixiecrat candidate Strom Thurmond, as well as the state Chamber of Commerce and the majority of the state's Christian groups joined Beasley in a show of solidarity, the damage and hostilities emanating from the botched rollout were irreparable.³¹¹ In addition to the fierce opposition Beasley faced from many in his own party and from the state's Confederate heritage groups, the South Carolina NAACP said the Heritage Act "does not go far enough," and the Legislative Black Caucus took several months before reluctantly announcing their support for Beasley's removal efforts.³¹²

Ultimately, the House of Representatives rejected Beasley's revived Heritage Act in the first few weeks of the 1997 Legislative session and instead voted to hold a special referendum to let South Carolina voters decide, a move crafted by House Republicans who believed emotional backlash to Beasley's address was still strong enough to quash any future hopes of compromise.³¹³ The Senate, however, let the bill die in committee.³¹⁴ Once the 1997 legislative session ended, David Beasley conceded defeat, saying, "We tried our best," and pledged to never try to remove the flag again. This was a pledge he was forced to repeat over and over as "Keep the Flag, Dump Beasley" bumper stickers, yard signs, and billboards appeared in the months leading up to his 1998 re-election bid.³¹⁵

Beasley never recovered, and Democratic candidate Jim Hodges, who also vowed during his campaign not to act on the flag issue, defeated incumbent Beasley by nearly ten

³¹⁰ Robert Tanner, "Beasley feels plan on flag publicized prematurely," *The Charlotte Observer*, November 19, 1996.

³¹¹ Jack Hitt, "Confederate Semiotics," *The Nation*, April 28, 1997.

³¹² Harrison, "SC governor;" Prince, *Rally*, 188-89.

³¹³ Prince, *Rally*, 190-191; Hitt, "Confederate Semiotics."

³¹⁴ *Ibid.*

³¹⁵ Cindy Ross Scoppe and Lee Bandy, "Beasley's Lost Cause," *The State*, July 13, 1997; Thomas B. Edsall, "S. Carolina Incumbent in Unexpected Tussle," *The Washington Post*, September 30, 1998.

percentage points in the November 2, 1998 gubernatorial election.³¹⁶ Hodges was the first Democrat to win the governor's office in twelve years.³¹⁷

For the first time in several years, the 1999 legislative session closed without the introduction of a single bill concerning the battle flag's removal, and Governor Hodges' first six months in office passed without comment on the flag front.³¹⁸ The quiet before the storm gave way to the third, final, and most divisive round of legislative combat over the Confederate battle flag that welcomed South Carolina to the new millennium.

Outside Pressures, 1999-2000

On July 15, 1999, the NAACP national conference, at the urging of the South Carolina Conference, passed an emergency resolution declaring an economic boycott of the state's \$17 billion tourism industry effective January 1, 2000.³¹⁹ The resolution urged large conventions, business meetings, family reunions, and vacationers "to consider locations other than the state of South Carolina...until such time that the Confederate Battle Flag is removed from positions of sovereignty in the state of South Carolina."³²⁰ The Southern Christian Leadership Conference set an early precedent for the boycott by cancelling its 1999 annual convention slated to begin in Charleston, South Carolina, on July 24.³²¹ Martin

³¹⁶ Joseph S. Stroud and Michael Sponhour, "SC bets on Hodges' 'historic' upset built on education, lottery," *The State*, November 4, 1998.

³¹⁷ Stroud and Sponhour, "SC bets on Hodges."

³¹⁸ Joseph S. Stroud, "How it happened: timing was key on flag publicity, pressure politics and some startling compromises converged to bring down the flag," *The State*, June 25, 2000.

³¹⁹ Joseph S. Stroud, "NAACP calls for boycott of SC, group wants Confederate flag down," *The State*, July 16, 1999.

³²⁰ National Association for the Advancement of Colored People, "Emergency resolution: economic sanctions for South Carolina," July 12, 1999, <http://www.naacp.org/em-resolution.htm>.

³²¹ Joseph S. Stroud, "Civil-rights group heeds SC boycott," *The State*, July 21, 1999.

Luther King III, president of the organization, announced the cancellation from the steps of the State House, where he also condemned Governor Hodges, who was vacationing with his family at the time the NAACP announced the tourism boycott, for his reluctance in confronting the flag issue.³²² Referencing the large support Hodges received from Black voters in the 1998 election, King said, “I assume the governor wants to be around for a while. And I think that there can be an effort to mobilize to assist him in staying or helping him leave.”³²³

By late fall 1999, eighty-six other groups and organizations had followed suit, and South Carolina NAACP Executive Director Dwight James announced that the tourism boycott had already cost the state more than \$40 million in conventions and other travel revenue before the official start date of January 1.³²⁴ Perhaps even greater in impact than the actual dollar amount, which was comparatively minor given the multibillion-dollar scale of the state’s tourism industry, was the intensified media coverage that accompanied the boycott.³²⁵ Although many lawmakers, including a majority of black legislators, resented the boycott and openly condemned the NAACP’s timing and actions, the boycott and intensified media attention succeeded in forcefully putting the Confederate flag back on the legislative agenda for 2000, and this time set the stage for inevitable action.³²⁶

Two incidents during the February 2000 Republican presidential primary in the state also framed the third round of Legislative debate and drew further negative attention

³²² Ibid.

³²³ Ibid.

³²⁴ Prince, *Rally*, 201; Marlon Menue and Chris Burritt, “SC Statehouse site of a clash of symbols- both sides of the flag fight vie for national attention this weekend,” *The Atlanta Journal and Constitution*, January 7, 2000.

³²⁵ Prince, *Rally*, 201-202.

³²⁶ Joseph S. Stroud, “NAACP set for long fight against flag,” *The State*, July 17, 1999; Chuck Carroll, “Business leaders, GOP air differences on flag,” *The State*, December 3, 1999; Menue and Burritt, “SC Statehouse;” Woliver, Ledford, and Dolan, “Politics of race and citizenship,” 716.

to the Confederate flag and race relations in South Carolina. First, the Confederate flag issue disrupted a nationally televised Republican presidential debate in South Carolina when the audience of 3,000 loudly jeered and heckled moderator Brian Williams when he pushed South Carolina-favorite George W. Bush for a position on the flag.³²⁷ The South Carolina primary also became notorious for a vicious smear campaign SC political operatives ran against then-frontrunner John McCain, using push-polling, anonymous faxes, flyers, and other means to circulate rumors that the McCains' adopted Bangladeshi daughter was actually his illegitimate Black child, his wife Cindy was a drug addict, and he was a homosexual and/or mentally unstable.³²⁸ Both the rallies and the Republican presidential primary generated critical additional publicity for the NAACP boycott and ultimately contributed to a compromise to end the third and decisive round of debate in the Legislature.³²⁹

January 2000 opened with dueling rallies—first, a pro-flag rally that involved 6,000 demonstrators marching with Confederate flags from a local cemetery up to the Capitol steps, and second, an anti-flag rally organized by the NAACP and several other national organizations that brought nearly 50,000 protesters to the State House from around the country.³³⁰ Record-breaking crowds attended pro-flag and anti-flag rallies within the same week of early January 2000.³³¹ More negative publicity overshadowed the state's largest pro-flag rally, "Heritage Celebration 2000," when 72-year-old Senator Arthur Ravenel, Jr. called the NAACP "corrupt" and referred to the civil rights organization as the "National

³²⁷ Glen Johnson, "Republicans Debate Again," *Associated Press*, January 8, 2000.

³²⁸ Lamb, "Never Go Naked;" Jennifer Steinhauer, "Confronting Ghosts of 2000 in South Carolina," *The New York Times*, October 19, 2007.

³²⁹ Stroud, "How it happened."

³³⁰ *Ibid.*

³³¹ *Ibid.*

Association of Retarded People,” in front of a crowd of 6,000 flag supporters.³³² Despite sharp criticism in the media and elsewhere, Ravenel refused to apologize for his remarks, except to the “retarded people of the world for unfairly lumping them together with the NAACP.”³³³ A week later, 50,000 anti-flag demonstrators attended the state’s first “King Day at the Dome.”³³⁴

Round Three, 2000

Unlike many of the state’s lawmakers, Governor Hodges did not appear at either rally. Instead, he used his January 19th State of the State address to firmly establish his position on the flag and command a tone of urgency for the Legislative undertaking of a compromise plan.³³⁵ Hodges, who previously demanded the NAACP suspend its boycott as a precondition for acting on the flag issue, said in his address, “Sanctions or no sanctions, we must move ahead and find a resolution to this debate.”³³⁶ He continued, “In its current location on the dome, the Confederate flag claims an inappropriate position of sovereignty... We must move the flag from the dome to a place of historical significance on the State House grounds.”³³⁷

Republicans responded by immediately criticizing the governor for his “lack of leadership” on the flag issue because he failed to provide specifics in his speech about

³³² Prince, *Rally*, 213.

³³³ Ibid.

³³⁴ Stroud, “How it happened.”

³³⁵ Ibid.

³³⁶ Joseph S. Stroud, “Take down the flag, Hodges says,” *The State*, January 20, 2000.

³³⁷ Ibid.

where the flag should go.³³⁸ Two weeks later, on February 14, Governor Hodges stood in front of the statue of Civil War General Wade Hampton on State House grounds with eighty lawmakers, business leaders, and other high-profile figures, including University of South Carolina head football coach Lou Holtz, to announce his plan to relocate the flag from the dome to the Wade Hampton statue.³³⁹ Hodges' plan was introduced into the Senate with fourteen co-sponsors and would ultimately be one of several proposals viciously debated in the Senate through March and April 2000, before the crafting of a final compromise.³⁴⁰

The first two weeks in April were a decisive time in the flag debate for South Carolina. On April 6, 2000, Charleston Mayor Joe Riley concluded a five-day, 120-mile walk from the coast to the Capitol, called "Get In Step South Carolina."³⁴¹ By the time Mayor Riley neared Columbia, several thousand people had joined the march, including former Governor David Beasley, who joked he was "the last living casualty of the Civil War."³⁴² When the marchers reached the State House, Governor Hodges came out to greet them on the steps and stood beside Mayor Riley as he repeated his call for lawmakers to compromise.³⁴³ "In our state, every religious denomination, every business organization, every civil rights organization, colleges' boards of trustees and presidents and athletic directors, and community and average citizens, rank and file, have said remove the Confederate battle flag," Riley declared from the steps. "And our Legislature, with only 20-some days left in the legislative session, hasn't even begun to debate the bill on the floor of

³³⁸ John Monk, "Playing ball over the Confederate flag," *The State*, February 15, 2000.

³³⁹ Ibid.

³⁴⁰ Botsch, "Confederate Flag."

³⁴¹ Joseph S. Stroud and Lisa M. Collins, "Dueling rallies at capitol: After 120 miles, Charleston mayor challenges Legislature to take down flag," *The State*, April 7, 2000.

³⁴² Prince, *Rally*, 225.

³⁴³ Ibid., Prince, *Rally*, 226.

either chamber.”³⁴⁴ On the other side of the Capitol, an estimated crowd of three hundred flag supporters chanted, “Never take it down!,” and sang “Dixie” while Riley delivered his address.³⁴⁵

On April 12, 2000, the same date as the firing upon Fort Sumter that began the Civil War and General Lee’s surrender four years later that ended it, the South Carolina Senate voted 36-7 in favor of a compromise bill that greatly resembled the original stipulations of the 1994 Heritage Act.³⁴⁶ Among other conditions, the compromise moved the Confederate battle flag from the State House dome to a twenty-foot pole beside the Confederate soldiers’ monument located in front of the capitol building.³⁴⁷ As expected, the battle over the bill in the House was much fiercer than what Representative Jake Knotts referred to as the Senate’s little “skirmish.”³⁴⁸ However, on May 10, the state’s first official Confederate Memorial Day, the House voted 63-56 to remove the Confederate battle flag according to the Senate’s compromise plan but raised the height of the new pole from twenty-feet to thirty-feet and required the flag and monument to be illuminated at night.³⁴⁹ Only three out of the state’s twenty-six black representatives approved the new measure, which also received loud disapproval from the state’s NAACP.³⁵⁰ Governor Hodges signed the final

³⁴⁴ Stroud and Collins, “Dueling rallies.”

³⁴⁵ Kenneth A. Harris, “Dueling rallies at capitol: flag supporters call upon history to defend banner,” *The State*, April 7, 2000.

³⁴⁶ Joseph S. Stroud, “Compromise bill wins support of both parties,” *The State*, April 13, 2000; David Firestone, “S. Carolina Senate Votes to Remove Confederate Flag,” *The New York Times*, April 13, 2000.

³⁴⁷ Ibid.

³⁴⁸ Kenneth A. Harris, “Rep. Knotts predicts House debate will be much tougher than Senate’s ‘skirmish,’” *The State*, April 14, 2000.

³⁴⁹ Joseph S. Stroud, “SC House votes to move flag, 3 out of 26 African Americans support measure,” *The State*, May 11, 2000.

³⁵⁰ Ibid.

South Carolina Heritage Act of 2000 on primetime statewide television on May 23, announcing, “This debate is over. Let us move forward together and united.”³⁵¹

The Heritage Act

The price of removing the Confederate flags from the dome and Chambers was high. The bill was the product of intense backroom negotiations—and political expediency—on the part of those who wanted the flag off the dome and out of the State House and those who were trying to preserve a piece of their southern heritage in the face growing anti-flag support from the general public and the business community. The result was a badly crafted law, “suspect on constitutional and public policy grounds.”³⁵²

Fifteen years later, the Heritage Act still haunts those who believe that the display of the Confederate flag and the veneration of Confederate monuments and memorials by public agencies are contrary to public policy.

The Heritage Act specified in Sections 1 and 2 that the only flags that can be flown from the dome of the State House and in the chambers of the House and Senate are the United States flag and the South Carolina Palmetto flag. The tradeoff: the South Carolina Infantry Battle Flag of the Confederate States of America “must be flown on a flagpole located at a point on the south side of the Confederate Soldier Monument” on the grounds of the capitol complex. Section 1 of the act gives detailed instructions on the type of flag and its display. And neither section can be amended without a two-thirds vote on third reading.

³⁵¹ Henry Eichel, “Hodges signs bill to move Confederate flag,” *The Charlotte Observer*, May 24, 2000.

³⁵² John V. Crangle, “Is Heritage Act just absurd, or worse?,” *The State*, August 31, 2015.

Interestingly, another give-back is a provision that the act does not “prohibit a private individual on the capitol complex grounds from wearing as a part of his clothing or carrying or displaying any type of flag including a Confederate flag.” Thus, individual legislators could display the flag in their government offices.

Section 3 provides protection from altering or removing monuments and memorials erected on public property of the state and any of its political subdivisions that honor those from the Revolutionary War to contemporary time, including the “War Between the States.” This protection was extended to streets, bridges, and other public areas dedicated in the memory of or named for a historic figure or historic event. This section also may only be amended by a two-thirds vote.

Finally, the Heritage Act prescribed how the last Confederate flags to be displayed in the chambers and flown over the dome would be preserved and display in the State Museum.

CHAPTER FIVE

BRINGING DOWN THE FLAG

On July 1, 2000, two Citadel cadets, one black and one white, lowered the Confederate battle flag from the South Carolina State House dome in an eight-minute televised ceremony, symbolically ending nearly a decade of paralyzing political turmoil over the issue.³⁵³

Inside the State House the morning of the ceremony, Governor Hodges and the handful of lawmakers present waited quietly in a “staid atmosphere of almost funereal anticipation.”³⁵⁴ Minutes before the noon start, Senators McConnell, Courson, and Ravenel huddled in hushed prayer with a group of Confederate re-enactors. Governor Hodges stood in the capitol foyer, largely unfazed by what he described as the “circus going on outside.”³⁵⁵

Hours before the ceremony, the NAACP and seven hundred fifty supporters, dressed in all-white, silently marched up to the front of the State House to the cadence of African drums, turned their backs on the building, said a silent prayer, then marched away in

³⁵³ Associated Press, “Confederate Flag Removed from SC Statehouse,” *The LA Times*, July 2, 2000; “South Carolina to Lower Confederate Battle Flag,” *CNN Saturday Morning News*, July 1, 2000, <http://www.cnn.com/TRANSCRIPTS/0007/01/smn.02.html>.

³⁵⁴ Prince, *Rally*, 249.

³⁵⁵ Jim Hodges, interview by author, Columbia, SC, February 11, 2015.

protest of the compromise solution.³⁵⁶ Along the way, they were barraged by catcalls, howls, and rebel yells from flag defenders held back by a wall of state police.³⁵⁷

By the start of the ceremony, a “boisterous crowd” of over three thousand spectators gathered outside of the State House.³⁵⁸ At exactly noon, as dictated by the Heritage Act, the two Citadel cadets, clad in the school’s gray full-dress uniforms, ascended the stairs inside the dome to receive the flag through a trapdoor above.³⁵⁹ As the Confederate battle flag began to drop, a highly-charged mixture of boos, cheers, whistles, and chants erupted from the crowd below, swelling to an “awesome din” just before the flag disappeared into the dome.³⁶⁰ Once the flag was no longer visible above the dome, a drum cadence rang out from the front of the State House, and a troop of twelve Confederate re-enactors marched up to a thirty-foot bronze flagpole at the base of the Confederate soldiers’ monument.³⁶¹ The crowd erupted again as the color-bearers hoisted the square, white-bordered ANV flag to the top of the newly-erected pole.

Though the official ceremony lasted only eight minutes, demonstrations persisted through the afternoon. Hundreds of anti-flag demonstrators held bright yellow signs reading, “Shame,” and blew whistles in protest.³⁶² Flag supporters meanwhile chanted, “Off the dome and in your face!”³⁶³ Verses of “We Shall Overcome” clashed with the words of “Dixie.” Many Black demonstrators held up placards reading, “Remember our heritage,

³⁵⁶ AP, “Confederate Flag Removed;” Joseph S. Stroud and Kenneth A. Harris, “Down from the dome: amid pomp and circumstance,” *The State*, July 2, 2000; Prince, *Rally*, 248.

³⁵⁷ Prince, *Rally*, 248.

³⁵⁸ Stroud and Harris, “Down from the dome.”

³⁵⁹ Prince, *Rally*, 250.

³⁶⁰ AP, “Confederate Flag Removed;” Stroud and Harris, “Down from the dome;” Prince, *Rally*, 249-250.

³⁶¹ *Ibid.*

³⁶² AP, “Confederate Flag Removed.”

³⁶³ *Ibid.*

too,” while pro-flag demonstrators waved Rebel flags.³⁶⁴ At one point, a “Go back to Africa” chant echoed through the crowd.³⁶⁵ In one of the more bizarre scenes of the afternoon, a group of white anti-flag demonstrators, men and women, calling themselves the “Step-Daughters of the Confederacy” and dressed in big hoopskirts went nose-to-nose with members from the Sons of Confederate Veterans who found their attire, along with the group’s slogan, “Working to keep South Carolina bass-ackward since 1860,” offensive and mocking.³⁶⁶ Although the hundreds of police officers present often had to form a wall between the opposing factions or restrain individuals when verbal combat threaten to turn physical, amazingly, only a single arrest was made, in what one onlooker described as “one of the state’s most historic, and potentially volatile, days.”³⁶⁷

The Nature of Compromise

The flag removal ceremony, with all its rancor and the unholy compromise for which it stood, actually marked the beginning of a fragile truce on the Confederate battle flag in South Carolina, entered into and maintained by the South Carolina state legislature, by virtue of the Heritage Act. Long before the angry voices outside the State House faded into the night, the state’s lawmakers inside the State House lapsed into silence, unwilling and unready “to wade back into the conflict that the Confederate flag engenders.”³⁶⁸ Even

³⁶⁴ Prince, *Rally*, 249.

³⁶⁵ Ibid.; AP, “Confederate Flag Removed.”

³⁶⁶ Lee Bandy and Roddie Burns, “Emotions Run High on Both Sides,” *The State*, July 2, 2000; Prince, *Rally*, 249.

³⁶⁷ Stroud and Harris, “Down from the dome;” Bandy and Burns, “Emotions.”

³⁶⁸ Tim Flach, “Another Flag Fight Brewing,” *The State*, March 10, 2001.

the state's black legislators had no interest in renewing the debate. "That's enough flag for me," said Senator Kay Patterson, after twenty-six years of fighting for its removal.³⁶⁹

"This is the nature of political compromise," explained University of South Carolina historian Dan Carter on the one-year anniversary of the 2000 flag removal. "We haven't resolved anything," Carter went on to say. "This is how politicians resolve issues, by fudging the margins on all sides."³⁷⁰

The Confederate battle flag and Heritage Act became the "third rail" of South Carolina politics: neither party nor individual legislator was willing to risk party stability or political career by touching it. During the 1999-2000 session of the South Carolina General Assembly, eighteen bills addressing the Confederate flags at the State House—including the bill that would become the Heritage Act—were introduced. In the seven intervening sessions between 2001 and Senator Pinckney's death in 2015, only one bill to remove the Confederate flag was introduced, and it never made it out of committee.³⁷¹

In the years 2002, 2006, 2010, and 2014, South Carolina voters went to the polls to elect the state's chief executive. During all those campaigns, the positioning of the Confederate battle flag never made it into the top ten issues. When Governor Hodges ran for a second term against Mark Sanford in 2002, the only mention of the Confederate flag was when Hodges took credit for improving race relations by diffusing the flag debate. He lost his re-election campaign, but not because of any repercussions for his role in removing the flags from the State House.

³⁶⁹ Claudia Smith Brinson, "Flag furor dialogue was unique in S.C. history," *The State*, July 1, 2001.

³⁷⁰ Ibid.

³⁷¹ Legislative Services Agency (LSA), www.scstatehouse.gov.

When South Carolina elected its first minority governor in 2010, NAACP President and CEO Benjamin Jealous, called on Governor Nikki Haley, an Indian American, to take down the flag.³⁷² Through a spokesperson, Governor Haley released a statement that said, “The flag compromise that occurred over a decade ago addressed a very sensitive subject in a way the majority of South Carolina could accept.” The spokesperson went on to say, “Outside groups are free to voice their concerns and problems with it, but revisiting this issue is not part of the governor’s agenda.”³⁷³

Outside groups did voice their concerns with the Confederate flag. For fifteen years, “outside groups” and individuals—on both sides of the debate—voiced their opposition to the flag’s relocation behind the Confederate soldiers monument and in front of the State House. While continued rallies and protest demonstrations gradually decreased in size, frequency, and intensity each year, they endured and maintained a visible presence in South Carolina public life. In January of each year, King Day at the Dome, which became an annual event following its overwhelming success in 2000, continued to draw substantial numbers and impressive speakers. Smaller but equally determined groups of Sons of Confederate Veterans, dressed in period uniforms, regularly marched and rallied in front of the State House.

Most notably, the NAACP maintained its tourism boycott and expanded economic sanctions to target the entertainment industry in the state.³⁷⁴ The organization enjoyed a modicum of success, but it was significantly compromised by conflict with several of South

³⁷² David Slade, “Confederate flag controversy and NAACP boycott resurface amid talk of football bowl game in Charleston,” *Post and Courier*, August 10, 2013.

³⁷³ *Ibid.*

³⁷⁴ Michelle R. Davis, “NAACP expands boycott – resolution proposes sanctions against other states with rebel battle emblems,” *The State*, July 12, 2000.

Carolina's most influential black public officials, who the NAACP accused of undermining their efforts in 2002.³⁷⁵

Beyond some isolated cancellations and the symbolic import of sustained action, the most significant effect of the NAACP's boycott was the NCAA's 2001 decision to honor the boycott by enforcing a moratorium on athletic championships at "pre-determined sites" in South Carolina.³⁷⁶ From 2001 until the flag's removal in 2015, the NCAA's moratorium prevented the state's collegiate athletic teams from hosting championship games at home. In 2004, the NCAA expanded the ban to include football bowl games and preseason basketball tournaments.³⁷⁷

From time to time, questions about the impact of the flag's relationship to the NAACP's economic boycott were raised, but the resulting conversations were matter-of-fact and without the vitriol of the pre-2000 debates. In 2007, University of South Carolina legendary football coach Steve Spurrier sparked some excitement when he expressed his frustration with South Carolina's inability to host a bowl game or regional basketball tournament because of the Confederate flag and the "embarrassment" it caused the state.³⁷⁸ "I realize I'm not supposed to get in the political arena as a football coach, but if anybody were ever to ask me about that damn Confederate flag, I would say we need to get rid of it," Spurrier said.³⁷⁹ Legislators, however, responded to Spurrier's comments unenthusiastically. One black representative said she respected Spurrier for wading into

³⁷⁵ Roddie Burris, "State NAACP assails two black lawmakers," *The State*, May 10, 2002.

³⁷⁶ Nat Newell, "S.C. loses chance at title games," *The State*, August 11, 2001.

³⁷⁷ Slade, "Confederate flag controversy."

³⁷⁸ "Spurrier: Flag should come down from S.C. Statehouse," *ESPN.com: College Football*, April 14, 2007, www.espn.com.

³⁷⁹ Ibid.

“that hornet’s nest,” but there were more important issues facing her constituents.³⁸⁰ Other legislators joked that they were “not about to start calling football plays for the Ol’ Ball Coach and expected the same deference in return.”³⁸¹

Similarly, in 2009, one of the flag’s staunchest defenders, Representative Chip Limehouse of Charleston, wrote an editorial calling for an end to the NAACP’s boycott because the battle flag controversy was settled with the compromise in 2000. “It has been well documented by the media that the NAACP’s boycott of South Carolina has cost our state dearly with failed economic development efforts and lost tourism dollars,” Limehouse wrote in noting that the Confederate flag at the monument was going nowhere anytime soon.³⁸² He received no real pushback, and it was a one-day news story.³⁸³

Those who revived the debate were pushed to the fringes and depicted by state lawmakers as disrupting the peace and harmony of the compromise. Despite the persistent protests, by 2014, a majority of the state’s citizenry supported lawmakers’ position that the Confederate battle flag was “settled-law.” A November 2014 Winthrop poll found that sixty-one percent of South Carolinians believed the Confederate battle flag should continue to fly where it was at the State House.³⁸⁴ The divide along racial lines, however, was telling of fundamental racial disparities still plaguing the state. Seventy-three percent of whites said the flag should continue flying while only twenty-seven percent of blacks said the same.³⁸⁵

³⁸⁰ John O’Connor, “Legislators not eager to renew flag fight,” *The State*, April 18, 2007.

³⁸¹ Ibid.

³⁸² Slade, “Confederate flag controversy.”

³⁸³ Ibid.

³⁸⁴ Jamie Self, “Confederate flag still divides whites, blacks in S.C.,” *The State*, November 23, 2014.

³⁸⁵ Ibid.

“What in the hell has changed?”

Regarding the Confederate flag as “settled-law” in South Carolina gave politicians and a majority of the state’s citizenry a license to avoid confronting the harsh realities about race and racism that any conversation about the Confederate flag necessarily stirred. Throughout the lengthy flag debate, passions on both sides had flared over whether or not the flag was the primary symbol of deep racial divide. Eager to avert the conflict that roiled the state in the decade prior to the 2000 Heritage Act, the state’s lawmakers repeatedly cast the “Confederate flag issue” as a mere distraction to their ability to “fix” the “real” issues in a state that consistently ranks last or near last in measures relating to education, poverty, healthcare, unemployment, and quality of life for minorities.

Ironically, the Confederate flag debate ultimately exposed the core of the state’s “real” issues—the legacies of a culture built on the subjugation of a race of people. With the Confederate flag flying above the State House dome as the icon of state governance, policy discussions over issues like welfare, access to healthcare, public education, and criminal justice quickly escalated into race-tinged debates. After 2000, without the Confederate flag flying as a flashpoint for the state’s past racial crimes and persisting racial prejudices, South Carolina lawmakers were free to “address” these same policy concerns without easily being drawn into an examination of the root cause of the problems—race—in the process. The result was, as one commentator observed just a year after the 2000 removal, a missed opportunity. “Undoubtedly, a new kind of conversation occurred,” Claudia Brinson wrote of the substantive issues dialogue sparked by the Confederate flag debate. “But it has not been repeated. Instead, an uneasy silence follows. No great social reforms. No healing

dialogues. No new day dawning.”³⁸⁶ Avoidance of discomfort was expedient, but also unproductive. As Senator Kay Patterson exclaimed in frustration, “Ain’t no lessons to be learned. We just made a compromise. What in the hell has changed?”³⁸⁷

In the fifteen years that the Confederate flag flew from the State House grounds instead of the dome and internal chambers, racial disparities in the state deepened and race relations worsened. According to 2013 census data, the South Carolina poverty rate was ninth highest in the nation, with 27 percent of South Carolina’s black families living in poverty compared to just 9 percent of white families.³⁸⁸ Statistics showed in 2014 that white unemployment was 5.4 percent, while black unemployment was 10.1 percent, compared to the national 5.6 percent.³⁸⁹ In 2012, Governor Haley’s stunning opposition to the Affordable Care Act’s expansion of Medicaid left an estimated three 350,000 people in South Carolina without access to health insurance, with a disparate impact on minorities.

South Carolina’s major education problems were exacerbated during this period. The huge achievement gap between white and black students in the state’s public schools widened. By 2013, 42 percent of black eighth graders tested below basic reading levels, compared to 18 percent of white students. South Carolina’s failure to adequately fund public education directly impacted the achievement. The national spotlight on South Carolina’s “Corridor of Shame,” a region of rural, impoverished school districts along I-95 burdened by dilapidated and poorly performing schools, in which 88 percent of the students are minority. In November 2014, the S.C. Supreme Court ruled in *Abbeville County*

³⁸⁶ Brinson, “Flag furor.”

³⁸⁷ Ibid.

³⁸⁸ Alan Blinder and Richard Fausset, “Confederate Flag Down, but Black South Carolinians See Bigger Fight,” *New York Times*, July 27, 2015.

³⁸⁹ Valerie Wilson, “After a Year of Strong Job Growth, Recovery Remains Uneven,” *Economic Policy Institute*, January 29, 2015, <http://www.epi.org/publication/state-unemployment-by-race-fourth-quarter-2014/>.

School District v. State of South Carolina that the state failed in its constitutional duty to provide a “minimally adequate” education to children in the state’s poorest school districts.³⁹⁰

Beyond the disturbing and grim statistics, high-profile police violence marred South Carolina. In February 2014, a North Augusta police officer shot and killed sixty-eight year old, unarmed Ernest Satterfield after a car chase that ended in Satterfield’s dirt driveway. In September 2014, a S.C. State Trooper shot Levar Jones, an unarmed black motorist, after pulling him for a seatbelt violation in Columbia. In the most well-known incident, in April 2015, a North Charleston police officer shot Walter Scott eight times, killing him. Scott was unarmed, fleeing, and fifty-years old. The shooting sparked national outrage after cell phone video and dash-cam footage of the incident went viral, showing the officer trying to cover-up his actions by placing a Taser near Scott’s body so he could claim self-defense.³⁹¹

In part, the increased police violence and troubling education and unemployment numbers reflected national trends. However, it also is a product of a South Carolina political culture that refuses to address persisting problems with race.

In the 2014 South Carolina gubernatorial race, Governor Nikki Haley’s Democratic challenger Vincent Sheheen addressed this when he called for the Confederate battle flag’s removal as his final policy position in his campaign for governor. “We are a state that is too often divided, too often separated by race, by region, by party. We know that state leaders in South Carolina keep us entrenched in these divisions so they can stay entrenched in

³⁹⁰ Carolyn Click and Dawn Hinshaw, “SC Supreme Court finds for poor districts in 20-year-old school equity suit,” *The State*, November 12, 2014.

³⁹¹ Michael S. Schmidt and Matt Apuzzo, “South Carolina Officer Is Charged with Murder of Walter Scott,” *The New York Times*, April 7, 2015.

South Carolina,” Sheheen said.³⁹² When the issue came up in the candidates’ first televised debate the following week, Governor Haley made it clear where she stood, dismissing Sheheen’s assertion that the Confederate flag was damaging the state’s image. “I can honestly say I have not had one conversation with a single CEO about the Confederate flag. What is important here is that we look at the fact that yes, perception of South Carolina matters... But we really kind of fixed all that when you elected the first Indian-American governor, when we appointed the first African-American Senator,” Haley said.³⁹³

Just seven months later, the heinous massacre of nine African Americans and a renewed Confederate flag debate in the state proved just how much South Carolina really had not “fixed.”

S.C. Legislative Debate, 2015

On Wednesday, June 17, 2015, Dylann Roof prayed with members of Emanuel AME Church, then opened fire on them, purely because they were black. Among the nine dead, Senator Clementa Pinckney. The tragedy shocked the state and the nation.

Within hours of the racially motivated attack, pressure to remove the flag erupted when pictures surfaced on the internet of the accused killer posing with the Confederate flag. The national news media immediately focused on the Confederate flag and its link to the killer, as well as its relationship to the state’s stormy racial past.

³⁹² Jamie Self, “Sheheen: Take flag down,” *The State*, October 2, 2014.

³⁹³ Jamie Self, “2014 Elections: Gloves off for Haley, Sheheen in SC governor’s debate,” *The State*, October 14, 2014.

South Carolina lawmakers were moved by the slaying of one of their own, yet they still were slow to acknowledge the connection among race, murder, and the flag. When asked about renewed pressure to remove the South Carolina Confederate flag on June 19, two days after the massacre, Governor Haley told CNN, “You know, right now, to start having policy conversations with the people of South Carolina, I understand that’s what y’all want, my job is to heal the people of this state ... There will be policy discussions ... But right now, I’m not doing that to the people of my state.” Haley’s response was echoed by legislators who were slated to return to Columbia the following week for a Sine Die session to ratify the state budget. Even legislators who were the first to consider introducing legislation were pessimistic. They perceived the move as a political risk due to past experience with flag. Representative Doug Brannon was one of the first to express concern. His intentions to introduce a bill in House slipped out the same day as Haley’s comment. According to Brannon, when fellow Republicans asked if they could join as co-sponsors, “I told each of them—don’t cosponsor the bill. The only political career I’m willing to ruin is mine.”³⁹⁴

Despite the public outcry for action, lawmakers appeared reluctant. However, hearts and minds were persuaded over the weekend when several key players, including the Governor, switched positions. On Monday, June 22, Governor Haley, joined by U.S. Senators Tim Scott and Lindsey Graham, and Congressmen Jim Clyburn and Mark Sanford, announced, “Today, we are here in a moment of unity in our state, without ill will, to say it is time to move the flag from the Capitol grounds. One hundred fifty years after the end of

³⁹⁴ Jeff Wilkinson, “Killings reignite debate on flag,” *The State*, June 21, 2015.

the Civil War ... the time has come.”³⁹⁵ This sea of change occurred only after the South Carolina business community united with activists and religious leaders in calling for removal.³⁹⁶ National leaders, Republican and Democrat, also joined in the call to remove the flag.

When the legislators returned to Columbia on June 23, they agreed in a procedural vote to extend the Sine Die session to consider legislation, not-yet-introduced, concerning the “South Carolina Infantry Battle Flag of the Confederate States of America and the surrounding arrangement located at the Confederate Soldier Monument on the grounds of the State Capitol Complex.”³⁹⁷ The procedural move was crucial because lawmakers on both sides recognized that the effort likely would fail if the vote were delayed until the next legislative session.

In quick succession, sixteen bills were introduced, each a variation on how to address the now-resurrected flag debate. Some of these bills were absurd and merely used as delay tactics to try to force the vote into the next session. For many legislators, however, this time the fight was personal. The predominant symbol of the old South and of the brutal treatment of so many blacks was the centerpiece of the manifesto of Dylan Roof, the alleged murderer of the Emanuel Nine. Emotions ran high in the camps of those defending the flag as part of their heritage and those who saw it as a symbol of hate. “I think it's a slap in the face for a lot of us in South Carolina to say we are not going to honor that particular group

³⁹⁵ Cynthia Roldan and Schuyler Kropf, “Gov. Haley joins call to remove Confederate flag,” *The Post and Courier*, June 22, 2015.

³⁹⁶ Ibid.

³⁹⁷ Campbell Robertson, Monica Davey, Julie Bosman, “Calls to Drop Confederate Emblems Spread Nationwide,” *The New York Times*, June 23, 2015.

of veterans,” said Representative Mike Burns in explaining his opposition.³⁹⁸ Some lawmakers blamed the victims, openly exposing their prejudice. In defending the use of the Confederate battle flag at the state capitol, Representative Bill Chumley exploded, “These people sat in there and waited their turn to be shot. That’s sad. Somebody in there with a means of self-defense could’ve stopped this.”³⁹⁹

Among the bills dropped on June 23 was S. 897, a simple bill to remove the flag and flagpole and transport the flag to the Confederate Relic Room in the State Museum. The bill sat on the calendar while the General Assembly recessed as Senator Pinckney’s body lay in state under the rotunda of the State House, under the dome that flew the Confederate battle flag until 2000. The lawmakers then left to say goodbye to their colleague.

On June 26, Senator Pinckney’s funeral was held in the College of Charleston basketball arena. Governor Haley and most of the members of the General Assembly attended. President Obama gave a moving eulogy before an overflow crowd. He spoke of race and healing and hate and symbols and the power of our words and the need for reconciliation.

Against that somber and emotional backdrop, the legislators returned to their Chambers on July 6. The Senate began debate on S. 897 and gave it second reading with the third reading to follow the next day. The bill was sent to the House.

The House began debating S. 897 at 10:00 a.m. on July 8, and after an epic fifteen-hour session that ended at 12:57 a.m. on July 9, the House gave second reading to the bill

³⁹⁸ Aly Myles, “S.C. lawmakers explain ‘No’ votes on flag debate,” *WYFF4.com*, June 24, 2015, <http://www.wyff4.com/news/south-carolina-representatives-discuss-why-they-voted-against-or-abstained-from-voting-on-flag-debate/33744660>.

³⁹⁹ Paige Lavender, “South Carolina Lawmaker: Charleston Shooting Victims ‘Waited Their Turn to Be Shot,’” *The Huffington Post*, June 23, 2015, http://www.huffingtonpost.com/2015/06/24/bill-chumley-charleston-shooting_n_7653182.html.

by a vote of 93-27. The House adjourned and reconvened at 1:00 a.m. on July 9 to give the bill third reading and sent it to Governor Haley, who signed it at 4:00 p.m.⁴⁰⁰

The flag came down and the pole was removed in a seven-minute ceremony at 10:00 a.m. on July 10, before an estimated crowd of 10,000 onlookers and reporters. Less than a month had elapsed between Senator Pinckney's death and the complete removal of the Confederate battle flag from the State House grounds.

Conclusion

For a brief time, it felt like everything truly had changed. In the days after Emanuel, the state's legislators reached across racial divides and party lines like they never had done before. In just over two weeks, the 2015 S.C. legislature accomplished a feat that their predecessors contemplated for decades but could never execute—they quickly and efficiently removed the Confederate battle flag from its “settled” position on State House grounds.

The debate at times was tense. But support came from unexpected places. Jenny Horne, for instance, a white Republican and descendent of Confederate president Jefferson Davis, is credited with altering the course of the debate in the House at a critical time. The Bill seemed on the verge of defeat as a handful of flag supporters introduced one amendment after another—68 to be exact—and threatened to create new committee meetings and legislative sessions to deal with the amendments—all in an attempt to delay debate and keep the flag flying. That is when Representative Horne took the podium,

⁴⁰⁰ “The Latest: South Carolina governor says ‘it is a new day,’” *The State*, July 9, 2015.

physically shaken and in tears. “I’m sorry, I have heard enough about heritage,” Horne told her fellow lawmakers. “I cannot believe that we do not have the heart in this body to do something meaningful, such as take a symbol of hate off these grounds ... And if any of you vote to amend, you are ensuring that this flag will fly beyond Friday. And for the widow of Senator Pinckney and his two young daughters, that would be adding insult to injury, and I will not be a part of it.”⁴⁰¹ Senator Paul Thurmond, son of U.S. senator and segregationist standard-bearer Strom Thurmond, also came out strong in his support of removing the flag. Removing the flag in the wake of Emanuel, Thurmond said, would “maybe show others that the motivations for a future attack of hate will not be tolerated, will not result in a race war, will not divide us, but rather strengthen our resolve to come together.”⁴⁰²

Emotions continued to build. Even Governor Haley said after the removal ceremony, “It felt like this massive weight just lifted off the state. It was an emotional day. It was a time of allowing people to respect their heritage in the proper place—which is a museum—but also allowing South Carolina to move forward.” “It’s a new day in South Carolina,” Haley promised.⁴⁰³

The emotions were real. Perhaps the hope and good intentions were real, as well.

Actions speak louder than words, however. The week after the Confederate flag’s removal, when asked if the Charleston massacre had any effect on her view of Senator Pinckney’s signature issue, voting rights, Haley responded, “You know, the flag coming down was a moment that I felt like needed to happen. That doesn’t mean that I

⁴⁰¹ Ben Brumfield, “Jenny Horne’s tearful Confederate flag speech shakes S.C. State House,” *CNN*, July 9, 2015, <http://www.cnn.com/2015/07/09/us/south-carolina-jenny-horne-speech/>.

⁴⁰² Seanna Adcox, Jeffrey Collins, and Jonathan Drew, “Lawmakers move from Confederate flag debate to grieving,” *The State*, June 24, 2015.

⁴⁰³ Cassie Cope and Andrew Shain, “The flag comes down; SC moves forward,” *The State*, July 11, 2015.

philosophically changed the way I think about other things. I've never seen the voter ID as a racial issue."⁴⁰⁴ In the legislative session following flag removal, no memorable progressive legislation was passed. In fact, the session was loaded with notorious anti-LGBT bills, right-wing efforts to call a national constitutional convention, and still too-little funding for the public schools.

A year after the overwhelming display of unity and reconciliation in the wake of tragedy that moved the nation, it again appeared the Confederate battle flag legislation was an expedient response by a state all too keen to turn a blind eye to the systemic legacies of slavery, Jim Crow, and racism. Nearly a decade of business industry pressure, national media exposing the state's worsening racial climate, and, ultimately, the NAACP tourism boycott, finally motivated the legislature in 2000 to move the Confederate battle flag one-hundred feet—from the dome to an illuminated pole in front of the State House. In 2015, it took the murder of one of their colleagues—and eight other African Americans—by a flag-wielding self-proclaimed neo-Nazi, combined with the extreme outrage of the nation and the business community to finally persuade South Carolina lawmakers that it would be more expedient to remove the flag altogether than to continue to defend the symbol of state's Lost Cause.

Though the flag is gone, the Heritage Act continues to trouble the state, preventing citizens who want to make change from doing so. In Greenwood for instance, citizens raised more than \$15,000 to remove segregation-era plaques from war memorials that listed "White" and "Colored" veterans in separate columns, to replace them with panels listing the names together. The Heritage Act prevented the change. In the wake of Dylann

⁴⁰⁴ Frank Wooten, "How far will Haley's 'moment' take her?," *Post and Courier*, July 14, 2015.

Roof's shooting, The Citadel asked lawmakers to let the college remove a Confederate naval jack from the campus chapel. Again, the Heritage Act prevented it. And again, state lawmakers refused to recognize and name the core issue: racism. Instead excuses are couched in terms of inconvenience or disruption of the norm. Senator Chip Campsen asserted that the changing law is unlikely because it would "unleash battles, symbol by symbol, monument by monument."⁴⁰⁵

Ironically, Campsen's and South Carolina's defiant resistance to further headway could not stop the current movement across the country to eliminate the government's enshrinement of Confederate monuments in public areas.

Dylann Roof may have intended to strike fear into the hearts of black citizens. Instead, his hateful actions triggered a ground swell of deliberation on historic and substantive matters which will affect South Carolina and the nation for years to come.

⁴⁰⁵ Jamie Self, "Greenwood lawsuit challenges Heritage Act over monuments," *The State*, July 26, 2015.

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VITA

EDUCATION

University of South Carolina School of Law Candidate for Juris Doctor	Columbia, SC May 2018
University of Mississippi Candidate for Master of Arts in <i>Southern Studies</i>	Oxford, MS August 2016
Presbyterian College Bachelor of Arts, <i>cum laude</i> , in <i>English and History</i> ; <i>Southern Studies</i> minor	Clinton, SC May 2013

PAPERS

"Parasites, and Rabies, and Retractors, OH MY!: Female Bodily Horror in David Cronenberg's Films"
Senior Capstone in English, Presented at Presbyterian College Honors Day, April 2013

"LSD: An Icon of 1960s Popular Culture"
Senior Capstone in History, Presented at Presbyterian College Honors Day, April 2012

GRADUATE ASSISTANTSHIPS

University of Mississippi, Center for the Study of Southern Culture <i>Center Events and Publications</i>	Oxford, MS Spring 2015
University of Mississippi, J. D. Williams Library <i>Library Outreach and Instruction</i>	Oxford, MS Spring 2014, Fall 2014

STUDY ABROAD

Spain (History Department, Spring 2011)
University of the Sunshine Coast, Queensland, Australia (Semester Abroad, Fall 2011)